



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD)No.15916 of 2020

R.Balasubramaniam

... Petitioner

-Vs-

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Tasildar,
Agastheeswaram Taluk,
Kanyakumari District,
Kanyakumari.

3.The Taluk Surveyor,
Agastheeswaram Taluk,
Kanyakumari District,
Kanyakumari.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to survey the property in Survey No.312/1, and check the boundary of the property to an extent of 11 cents at Panjalingapuram Village at present as Leepuram Village, Agatheeswaram Taluk, Kanyakumari Revenue, Kanyakumari District, Kanyakumari within a specific period.

For Petitioner : Mr.KA.Raamakrishnan

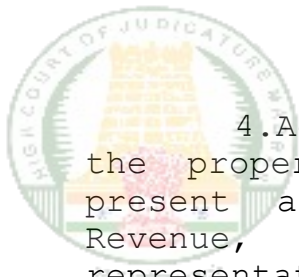
For Respondents : Mr.P.Kanni Thevan,
Additional Government Pleader

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the respondents to survey the property in Survey No.312/1, and check the boundary of the property to an extent of 11 cents at Panjalingapuram Village at present as Leepuram Village, Agatheeswaram Taluk, Kanyakumari Revenue, Kanyakumari District, Kanyakumari within a specific period.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Mr.P.Kanni Thevan, learned Additional Government Pleader accepts notice on behalf of the respondents.



4. According to the petitioner, he is the absolute owner of the property in Survey No.312/1 at Panjalingapuram Village at present as Leepuram Village, Agatheeswaram Taluk, Kanyakumari Revenue, Kanyakumari District, Kanyakumari. He has sent a representation dated 01.09.2020 to the respondents to conduct survey, measure and to fix boundary. Since no effective steps have been taken in this regard, he has approached this Court, seeking aforesaid prayer.

5. This Court without going into the merits of the case, directs the third respondent to survey the property of the petitioner, after affording opportunity to the petitioner and others, who are likely to be affected. The said survey shall be photographed and videographed in the presence of the petitioner and the costs of Photograph and Videograph to be borne by the petitioner. Such exercise shall be completed, within a period of three (3) months from the date of receipt of a copy of this order. At the time of conducting survey and in case of issuance of patta, the guidelines issued by this Court in W.P.(MD)No.13465 of 2020, dated 13.10.2020 and W.P.(MD)Nos.7746 of 2020 etc., batch dated 23.09.2020, have to be scrupulously followed.

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg-2

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Kanyakumari District,
Kanyakumari.

2. The Tasildar,
Agastheeswaram Taluk,
Kanyakumari District,
Kanyakumari.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Taluk Surveyor,
Agastheeswaram Taluk,
Kanyakumari District,
Kanyakumari.

+1 CC to SPL GP (SR-22074[F] dated 18/11/2020)

Order made in
W.P. (MD) No.15916 of 2020
11.11.2020

VB (26.11.2020) 3P 5C