



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.1829 of 2022

WEB COPY

N.Elconraj

... Petitioner

vs.

1.The District Collector,
Kanyakumari District, Nagercoilil.

2.The Assistant Director of Land Survey,
District Surveyor Office, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to provide the petitioner the Documents of 1)Old Settlement Register for Old Survey No.1943 and 2018 of Medalam Village 2) S.L.R.Register for Old Survey No.1943 and 2018 of Medalam Village, as per the orders of the learned Subordinate Judge, Padmanabhapuram, dated 18.02.2021 in I.A.No.1 of 2020 in O.S.No.178 of 2012 on the file of the Subordinate Court, Padmanabhapuram based on the petitioner's representation, dated 27.08.2021 within a time stipulated by this Court.

For Petitioner :Mr.F.Deepak
For Respondents :Mr.M.Lingadurai
Special Government Pleader

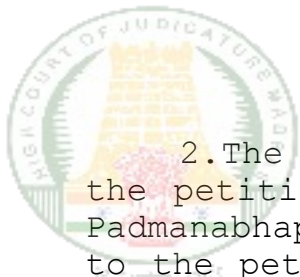
O R D E R

This Writ Petition has been filed in the nature of a Mandamus seeking for a direction to the respondents to furnish the copies of following documents:

1)Old Settlement Register for Old Survey No.1943 and 2018 of Medalam Village

2) S.L.R.Register for Old Survey No.1943 and 2018 of Medalam Village, as per the orders of the learned Subordinate Judge, Padmanabhapuram, dated 18.02.2021 in I.A.No.1 of 2020 in O.S.No.178 of 2012 on the file of the Subordinate Court, Padmanabhapuram

based on the petitioner's representation, dated 27.08.2021 within a time frame to be fixed by this Court.



2.The case of the petitioner is that a civil suit was filed by the petitioner in O.S.No.178 of 2012 before the Subordinate Court, Padmanabhapuram, seeking for declaration and injunction. According to the petitioner, by order, dated 18.02.2021 in I.A.No.1 of 2020 in O.S.No.178 of 2012, the respondents were directed to furnish the copies of the documents aforementioned to the petitioner. But, despite the same, they have not complied with the said order. The petitioner claims to have given representations to the respondents, which have been filed along with the typed set of papers, seeking for the aforementioned documents. Since, those representations have not been considered, the petitioner has filed this Writ Petition.

3.Heard Mr.F.Deepak, learned Counsel for the petitioner and Mr.M.Linga Durai, learned Special Government Pleader appearing for the respondents.

4.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court. The petitioner seeks for copies of the aforementioned documents, which according to the petitioner, has not been furnished till date, despite the order, dated 18.02.2021 passed by the learned Subordinate Judge, Padmanabhapuram in I.A.No.1 of 2020 in O.S.No.178 of 2012 and despite having sent several reminders thereafter.

5.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation, dated 27.08.2021 requesting him to furnish the copies of documents, namely, 1)Old Settlement Register for Old Survey No.1943 and 2018 of Medalam Village 2) S.L.R.Register for Old Survey No.1943 and 2018 of Medalam Village, as per the orders of the learned Subordinate Judge, Padmanabhapuram, dated 18.02.2021 in I.A.No.1 of 2020 in O.S.No.178 of 2012, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr



To

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Assistant Director of Land Survey,
District Surveyor Office, Nagercoil,
Kanyakumari District.

+1 CC to M/s.F.DEEPAK, Advocate (SR-6115[F] dated 15/02/2022)

+1 CC to M/s.SPL GP (SR-6197[F] dated 15/02/2022)

Order made in
W.P.(MD)No.1829 of 2022
14.02.2022

km(CO)
TR(01.03.2022) 3P 5C