

W.P.(MD) No.2824 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.(MD) No.2824 of 2017
and
W.M.P.(MD) No.2314 & 2315 of 2017**

1.Y.Vijayakumar

2.S.Justin Jacob Raj

3.T.Rajan

... Petitioners

-vs-

1.The District Collector
Kanyakumari District
Nagercoil

2.The Executive Engineer
Kodayar Basin Irrigation System
Water Resources Organization
Public Works Department
Nagercoil

3.The Assistant Engineer
Pattanamkal Irrigation Section
Water Resources Organization
Public Works Department
Kuzhithurai
Kanyakumari District

4.The Block Development Officer
Thiruvattar Panchayat Union
Thiruvattar
Kanyakumari District

5.The Superintending Engineer
Kanyakumari Electricity Distribution Circle
Nagercoil

6.The Revenue Divisional Officer
Padmanabhapuram Division
Thuckalay, Kanyakumari District

7.The Tahsildar
Kalkulam Taluk
Thuckalay
Kanyakumari District

8.The Sub Registrar
Verkizhambi Sub Registrar Office
Verkizhambi
Kanyakumari District

9.The Inspector of Police
Thiruvattar Police Station
Kanyakumari District

10.Duri Bose

11.Ebenezer

12.Jofret Stephen

13.Albert Stephen

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the 6th respondent to dispose of the appeal dated 22.12.2016 seeking to cancel the Sub-Division effected in R.S.No.535/4B of Viyanoor A Village, Kalkulam Taluk, Kanyakumari District, within a time frame stipulated by this Court.

For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R8
Mr.T.Senthil Kumar
Additional Public Prosecutor for R9
Mr.G.Ramanathan for R12
No appearance for R10, R11 & R13

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

When the matter was taken up for hearing, the learned counsel appearing for the twelfth respondent submitted that during the pendency of this writ petition, the sixth respondent, after conducting proper enquiry, by order dated 07.09.2018, rejected the claim of the petitioners herein and therefore, nothing survives for consideration in this writ petition.

2. Recording the above submission of the learned counsel for the twelfth respondent, the writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [J.S.N.P., J.]

13.09.2022

Index : Yes / No

Internet : Yes / No

krk

To:

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Executive Engineer,
Kodayar Basin Irrigation System,
Water Resources Organization,
Public Works Department,
Nagercoil.
- 3.The Assistant Engineer,
Pattanamkal Irrigation Section,
Water Resources Organization,
Public Works Department,
Kuzhithurai,
Kanyakumari District.
- 4.The Block Development Officer,
Thiruvattar Panchayat Union,
Thiruvattar,
Kanyakumari District.

- 5.The Superintending Engineer,
Kanyakumari Electricity Distribution Circle,
Nagercoil.
- 6.The Revenue Divisional Officer,
Padmanabhapuram Division,
Thuckalay, Kanyakumari District.
- 7.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.
- 8.The Sub Registrar,
Verkizhambi Sub Registrar Office,
Verkizhambi,
Kanyakumari District.
- 9.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

W.P.(MD) No.2824 of 2017

R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

krk

W.P.(MD) No.2824 of 2017
and
W.M.P.(MD) No.2314 & 2315 of 2017

13.09.2022