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W.P.(MD)NO.342 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.342 of 2023

Helan Ida

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The District Revenue Officer,
Padmanabhapuram,
Kanyakumari District.

3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

4. The Surveyor,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the petitioner's property and fix boundary stones in respect of Survey No.119/6B to an extent of 0.02.25 Hectares situated at Kothanallur Village, Kalkulam Taluk, Kanyakumari District, on the basis of the petitioner's representation dated 06.12.2022, within a time frame to be stipulated by this Court.



For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.A.K.Manikkam,
Special Government Pleader.

* * *

ORDER

The petitioner has applied to the jurisdictional authority for conducting survey of the petition mentioned lands and for demarcation of the boundaries. Since the authority had not acted upon the petitioner's request, this writ petition came to be filed.

2. The Writ Petition is disposed of with the following directions:-

(I) The survey authority will issue notice to the writ petitioner as well as the adjacent land owners and also to the interested persons, if any.

(II) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.



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pursuant to the direction of this Court can never result in dispossession of any party. No person shall put up fencing at the time of survey by using police aid. The Survey Authority will pass order within a period of six weeks after service of notice on the interested persons.

(VII) A copy of the survey report will be served on the parties also.

No costs.

06.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No

PMU

To:

1. The District Collector,
Kanyakumari District at Nagercoil.
2. The District Revenue Officer,
Padmanabhapuram,
Kanyakumari District.
3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.
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G.R.SWAMINATHAN,J.

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