



W.P(MD)No.8823 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8823 of 2023

R.Chellappan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
At Nagercoil.

2.The District Revenue Officer,
Kanyakumari District,
At Nagercoil.

3.The Assistant Director of Survey and Land Records,
District Survey Office,
Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Kalkulam,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of mandamus directing the respondents to carry out necessary corrections in the revenue records pertinent to the petitioners property in Old Survey no. 3688/496 and 497 bearing resurvey number 480/38 and 33 admeasuring 21 cents of Eraniel Village, Kanyakumari District and in Old Survey Number 7919 M1, M2 corresponding Re-Survey



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Number 555/2, 5 admeasuring 23 cents and the properties in old survey number 7920-B corresponding Re-Survey number 556/8, 10 admeasuring 4 cents of Thalakulam Village, Kanyakumari District, in the light of the Judgment and decree passed in O.S.No.103 of 1995 on the file of the Learned Additional District Munsif Court, Eraniel and the judgment and decree passed in A.S.No. 41 of 2008 on the file of the learned Sub-Court, Padmanabhapuram by considering the petitioner's representation dated 27.02.2023 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction against the fourth respondent to carry out necessary correction in the revenue records relating to the land at Old survey No.3688/496 and 3688/497 re-surveying the No. 480/38 and 480/33 totally measuring 21 cents in Eraniel Village, Kanyakumari District, consequent to a judgment and decree in O.S.No. 103 of 1995 on the file of the Additional District Munsif Court, Eraniel which had been confirmed by the Sub Court at Padmanabhapuram in A.S.No.41 of 2008.



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2. The fourth respondent may issue notice to the petitioner herein and examine the Court decree of both the original suit and the appeal suit and thereafter, take necessary steps in the manner known to law. After coming to personal satisfaction, necessary steps have to be taken in accordance with the representation dated 27.02.2023. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. The fourth respondent may also take into consideration the fact that a Second Appeal has been filed with delay and is pending before this Court and then take a considered decision.

3. This writ petition is disposed of. No costs.

18.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The District Collector, Kanyakumari District at Nagercoil.
- 2.The District Revenue Officer, Kanyakumari District at Nagercoil.
- 3.The Assistant Director of Survey and Land Records,
District Survey Office, Kanyakumari District.
- 4.The Tahsildar, Kalkulam Taluk, Kalkulam, Kanyakumari District.

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