



W.P.(MD) No.6150 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.6150 of 2018
and
W.M.P.(MD) Nos.6002 and 6003 of 2018**

M/S.Kanthimathy Plantations Pvt. Ltd.,
Pattom Place P.O.
Thiruvananthapuram 695 004,
represented by its Director and
Authorized Signatory,
S.Lakshmana Sarma

... Petitioner

/vs./

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.
- 3.The Assistant Director of Survey and Land Record,
Kanyakumari District,
Nagercoil.
- 4.The Tahsildar,



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Vilamcode Taluk,
Kanyakumari District.

5.Rajkumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records comprised in Na.Ka.No. 13/2342/2014(Ni.A) dated 06/03/2018 issued by the 2nd respondent and quash the same as being arbitrary, illegal, unconstitutional and contrary to the principles of natural justice.

For Petitioner : Mr.Raguvaran Gopalan

For R1 to R4 : Mr.P.Thambidurai
Government Advocate

For R5 : Mr.M.Jothivel

ORDER

The above writ petition has been filed for the issue of a Writ of Certiorari to quash the order passed by the second respondent in Na.Ka.No. 13/2342/2014(Ni.A) dated 06/03/2018.

2. Since the basis on which the survey notice had been issued no longer is available, as the judgment in the second appeal has been set aside by the Hon'ble



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Supreme Court in Cvl.A.No.3078 of 2020, since the order dismissing the suit both by the trial Court as well as the appellate Court has now been upheld.

3. The Writ Petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

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

24.09.2024

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To

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.
- 3.The Assistant Director of Survey and Land Record,
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- 4.The Tahsildar,
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P.T.ASHA, J.

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