



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction**

**Tuesday, the Fifteenth day of April Two Thousand and Twenty Five
PRESENT**

**The HONOURABLE MR. JUSTICE P.B. BALAJI
WP(MD). No.16026 and 19866 of 2023**

WP(MD). No.16026 of 2023

Vivekanandan

... Petitioner

Vs

- 1 The District Collector
Kanyakumari District at Nagercoil.
- 2 The District Revenue Officer
Kanyakumari District at Nagercoil.
- 3 The Revenue Divisional Officer,
Padmanabhapuram Kanyakumari District.
- 4 The Tahsildar
Kiliyoor Taluk Office
(Old Vilavancode Taluk Office)
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 grant patta over the Western 4 Acres 44 1/2 cents in Re-Survey No.244 corresponding to Old Survey No. 3498 of Palur village, Old Vilavancode Taluk, New Kiliyoor Taluk, Kanyakumari District in the name of Ponnaiyan Nadar Son of Neelan Nadar and his family members on the basis of the Judgment and Decree granted in O.S.No. 894 of 1988 dated 10.08.2002 on the file the I-Additional District Munsif, Kuzhithurai and in the light of the G.O.Ms.No. 947 Revenue Department-Madras (Assignment of Lands (Transferred Territory) Cultivable Lands- Lands held under Kuthakapatam.



W.P.(MD) No.19866 of 2023

1. Sumithrabhai. P
2. Appayu Nadar.P
3. Thangaswamy.P
4. Kanagabhai.P
Taluk Office) Kanyakumari District.
5. Rangaswamy.C
6. Mary.C
7. Nitheesh Kumar.S
8. Radhamani
9. Rajkumar
10. Sumathi

... Petitioners

/Vs./

1. The District Collector
Kanyakumari District,
At Nagercoil.
2. The District Revenue Officer
Kanyakumari District,
At Nagercoil.
3. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.
4. The Tahsildar
Killiyoor Taluk Office,
(Old Vilavancode Taluk Office)
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the Respondents from interfering and creating any trouble to the petitioners the enjoyment and possession of the properties comprised in Old Survey No.3498 New Survey No. 244 for an extent of 8 Acre 89 Cents situated at Palur Village, Old Vilavancode Taluk, Now Killiyoor Taluk, Kanyakumari District, without following due process of law.

Common Order:- These Petitions coming on for orders on this day and upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.S.Meenakshisundaram, Senior Counsel for Mr.M.R.Sreenivasan, Advocate for the Petitioner in WP(MD) No.16026 of 2023 and Mr.A.C.Asaithambi,



Advocate for the Petitioners in WP(MD) No.19866 of 2023 and of Mr.M.Lingadurai, Special Government Pleader for the Respondents in both WP'S this Court made the following order:

After the orders were pronounced, the learned Special Government Pleader, Mr.M.Lingadurai, made a mention stating that he has oral instructions to contend that the petitioners in W.P(MD)No.19866 of 2023 are not in physical possession of the lands.

2. However, the learned counsel for the petitioners would countenance the said argument and contend that the lands are vacant and therefore, any observations made with regard to physical possession may adversely affect the interests of the writ petitioners in the pending proceedings before the District Revenue Officer. In order to safeguard interest of both parties, it would suffice to direct status quo to be maintained by both the parties, until a final decision is taken by the District Revenue Officer. As already indicated, the petitioners' possession, if they are found to be in possession, shall not be disturbed, except by due process of law.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai.



1.The District Collector
Kanyakumari District at Nagercoil.

2.The District Revenue Officer
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4.The Tahsildar
Killiyoor Taluk Office, (Old Vilavancode Taluk Office)
Kanyakumari District.

COPY TO
The I Additional District Munsif, Kuzhithurai.

+ 1CC to Mr.A.C.Asaithambi, Advocate,CA.SR.No.24596/2025
+ 1CC to Mr.M.R.Sreenivasan Advocate,CA.SR.No.24377/2025
+ 1CC to the Government Pleader,CA.SR.No.24377/2025

ORDER DATED : 15/04/2025

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ORDER

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WP(MD)Nos.16026 & 19866 of 2023

Giving direction and etc.
as stated within.

RS (29/04/2025) 4P/ 9C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17.07.2023.