



W.P(MD)No.24083 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24083 of 2025

Jayanraj

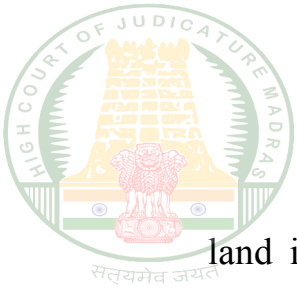
... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Kanyakumari.
- 2.The Revenue Divisional Officer,
Vilavancode Taluk,
Kanyakumari District.
- 3.The Assistant Director (Mines and Minerals),
Kanyakumari District, Nagercoil.
- 4.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
- 5.The Inspector of Police,
Marthandam Police Station,
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 1 to 4 allow the petitioner to remove the soil from his patta



W.P(MD)No.24083 of 2025

land in Sy.No.755/1F2, 755/1G3 for constructing residential house by considering the petitioner's representation dated 06.08.2025.

For Petitioner : Mr.S.Jebastin

For Respondents : Mr.R.Ragavendran,
Government Advocate for R1 to R4.
Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R5.

ORDER

Heard both sides.

2.The petitioner has obtained building plan approval. It is to expire in ten months time. Since the ground has to be levelled, he approached the third respondent for granting permission. Since his request was not considered, the present writ petition has been filed.

3.The learned Government Advocate submitted that the petitioner has to apply through on-line mode. He further stated that the petitioner's application will be considered on seniority basis.



W.P(MD)No.24083 of 2025

WEB COPY

4.The learned counsel for the petitioner states that the petitioner will apply through on-line within a week. I fail to understand as to why the petitioner's application should be considered seniority-wise. The petitioner is not asking for removal of sand from any poramboke land. He is asking for leveling his own patta land. There is urgency since the validity period of the building plan approval may soon expire.

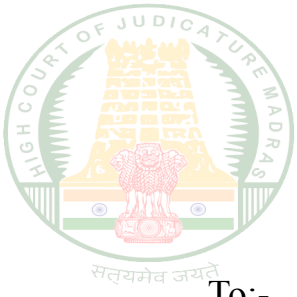
5.As and when, the petitioner applies for removing the soil from his patta land, permission shall be granted immediately by the third respondent. As regards, transportation, it is open to the third respondent to stipulate appropriate conditions.

6.This writ petition is allowed accordingly. No costs.

04.09.2025

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

Issue order copy on 08.09.2025.



W.P(MD)No.24083 of 2025

To:-
WEB COPY

- 1.The District Collector,
Kanyakumari District,
Kanyakumari.
- 2.The Revenue Divisional Officer,
Vilavancode Taluk,
Kanyakumari District.
- 3.The Assistant Director (Mines and Minerals),
Kanyakumari District, Nagercoil.
- 4.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
- 5.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.



WEB COPY



W.P(MD)No.24083 of 2025



WEB COPY



W.P(MD)No.24083 of 2025

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.24083 of 2025

04.09.2025