



W.P.(MD)No.26266 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.26266 of 2025

Rajkumar

... Petitioner

-VS-

1.The District Collector,
Kanyakumari District,
Kanyakumari.

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

3.The Head Surveyor,
Office of the District Collector,
Nagercoil,
Kanyakumari District.

4.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

5.M/s.Kanthimathy Plantations Private Limited,
Pattom Place Post,
Thiruvananthapuram - 695 004,
Represented by its Director and Authorized Signatory,
S.Lakshmana Sarma.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to survey the land comprised in Old Survey Nos.3014 and 3015 and Resurvey Nos.196 and 197, situated at Thalakkumalaikani, Kaliyal Village, presently, Kadayal, Vilavamcode Taluk, Kanyakumari District, measuring to an extent of 207 acres by considering the petitioner's representation dated 25.08.2025, within a time frame as stipulated by this Court forthwith.

For Petitioner	:	Mr.G.Sankara Pandian
For R1 to R4	:	Mr.D.Sadiq Raja Additional Government Pleader
For R5	:	Mr.Raguvaran Gopalan

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the third respondent to survey the land comprised in Old Survey Nos. 3014 and 3015 and Resurvey Nos.196 and 197, situated at Thalakkumalaikani, Kaliyal Village, presently, Kadayal, Vilavamcode Taluk, Kanyakumari District, measuring to an extent of 207 acres by considering the petitioner's representation dated 25.08.2025, within a time frame as stipulated by this Court forthwith.



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2. Heard the learned counsel appearing for the parties.

3. According to the petitioner, he is the owner of the land comprised in Old Survey Nos.3014 and 3015 and Resurvey Nos.196 and 197, situated at Thalakkumalaikani Kaliyal Village, presently forming part of Kadayal, Vilavamcode Taluk, Kanyakumari District, admeasuring 207 acres. For proper identification and demarcation of the property, the petitioner submitted a representation dated 25.08.2025 to the third respondent requesting that a survey and measurement be carried out.

4. Despite the submission of the said representation, no steps have been taken by the third respondent to conduct the survey or to pass orders on the petitioner's request. The inaction of the authorities has caused hardship to the petitioner and has hindered the effective enjoyment and protection of the property. Therefore, the petitioner has approached this Court for the relief stated supra.



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5. The learned Additional Government Pleader appearing for the respondents 1 to 4 has submitted that the subject land is Government land, and this position has already been affirmed by the Hon'ble Supreme Court.

6. The learned counsel for the fifth respondent has also confirmed that the title and rights in respect of the land vest with the Government, though a portion of the land has been assigned to the fifth respondent under a Patta.

7. Since the status of the land as Government property is undisputed, the petitioner cannot seek survey or demarcation as a matter of right, nor can the authorities be directed to consider the representation on merits in contradiction to the settled legal position.

8. However, as the petitioner has submitted a representation, the official respondents are required to dispose of the same, *albeit* in accordance with the admitted and undisputed factual and legal position regarding the nature of the land.



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9. In view of the above, no further adjudication is necessary, and the writ petition is disposed of, by directing the official respondents to pass appropriate orders on the petitioner's representation, strictly taking into account the aforesaid facts, after providing reasonable opportunity to the petitioner, the fifth respondent and also to the other persons, who may be affected by such decision, within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
05.12.2025

To:-

- 1.The District Collector,
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Kanyakumari.
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4.The Tahsildar,
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