



W.P.(MD)No.35431 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.35431 of 2025
and
W.M.P.(MD)No.28127 of 2025

B.Saviour

... Petitioner

-VS-

1.The Tahsildar,
Killiyoor Taluk,
Killiyoor
Kanyakumari District.

2.The Taluk Surveyor,
Paingkulam, Killiyoor Taluk,
Kanyakumari District.

3.M.Ahamed Rasheed

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the Impugned Notice issued by the first respondent in his proceeding in Na.Ka.A5/1411/2025 dated 16.09.2025 and consequent survey notice dated 08.11.2025 and quash the same.



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For Petitioner : Mr.K.Guhan
For R1 and R2 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed seeking the issuance of a writ of certiorari to quash the impugned notice issued by the first respondent in proceedings Na.Ka.A5/1411/2025 dated 16.09.2025 and the consequent survey notice dated 08.11.2025.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the third respondent, notice to the third respondent is hereby dispensed with.

4. The petitioner challenges the notices issued by the first respondent / Tahsildar for the purpose of conducting a survey in respect of the property mentioned therein.



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5. The learned counsel for the petitioner submits that the petitioner has no interest in the property. The property originally belonged to his deceased wife and devolved upon her sons and daughters. However, instead of issuing notices to the rightful heirs, the notices were erroneously sent to the petitioner.

6. Considering the aforesaid submissions, this Court is of the view that it is for the Tahsildar to conduct the survey in accordance with law, after issuing notices to all concerned and persons who have a legal interest in the property. Any deviation from the procedure laid down may render the proceedings invalid.

7. With the above observations, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No

Index : Yes / No

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To:-

1.The Tahsildar,
Killiyoor Taluk,
Killiyoor
Kanyakumari District.

(K.SURENDER, J.)

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2. The Taluk Surveyor,
Paingkulam, Killiyoor Taluk,
Kanyakumari District.



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