



W.P.(MD) No.3793 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.3793 of 2026

M.Ahamed Rashi
through his power agent
H.Mohamed Thaseen

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari,
Kanyakumari District.
- 2.The Superintendent of Police,
Kanyakumari,
Kanyakumari District.
- 3.The Tahsildar,
Kiliyoor Taluk,
Kanyakumari District.
- 4.The Firka Surveyor,
Painkulam Firka,
Kiliyoor Taluk,
Kanyakumari District.
- 5.The Village Administrative Officer,
Ezhudesam E Village,
Kiliyoor Taluk,
Kanyakumari District.



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6.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

7.Xavier

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to implement the direction issued by the third respondent in Na.Ka.No.A5/1411/2025 dated 08.11.2025 and conduct survey in S.No. 247 in Ezhudesam E Village, Kiliyoor Taluk, Kanyakumari District.

For Petitioner : Mr.R.Mathan Kumar

For R1, R3 to R5 : Mr.D.Sadiq Raja
Additional Government Pleader

For R2 & R6 : Mr.S.Prakash
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to implement the direction issued by the third respondent in the Memo in Na.Ka.No.A5/1411/2025 dated 08.11.2025 and to conduct a survey and demarcate the property in Survey No.247, situated at Ezhudesam E Village, Kiliyoor Taluk, Kanyakumari District.



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2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with the notice to the seventh respondent, as no adverse orders are proposed to be passed against him.

3.The grievance of the petitioner is that the seventh respondent, along with his associates, fabricated documents and attempted to grab the petitioner's land, while the petitioner was residing abroad with his family. When the petitioner came to India, he lodged a complaint before the first respondent on 29.01.2025. The first respondent, in turn, directed the third respondent to conduct an enquiry into the said complaint. Pursuant thereto, the third respondent, vide memo bearing Na.Ka.No.A5/1411/2025 dated 08.11.2025, directed the fourth to sixth respondents to conduct a survey and submit a report. When the fourth and fifth respondents attempted to conduct the survey, the seventh respondent and his associates obstructed them and created a law and order problem. However, the fourth and fifth respondents have not taken any further steps or arrived at any decision without any valid reason. Hence, the petitioner has filed the present Writ Petition.



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4. The learned Additional Government Pleader appearing for the first and third to fifth respondents, on instructions, would submit that as per the direction of the third respondent, the fourth and fifth respondents would, after considering the claims of the parties, take appropriate steps to survey and demarcate the land in question in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923 and submit a report to the third respondent.

5. Recording the aforesaid submissions, this Court directs the fourth and fifth respondents to survey and demarcate the petitioner's land, after considering the claims of all parties and pass orders in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923, within a period of twelve (12) weeks from the date of receipt of a copy of this order. A report shall be submitted to the third respondent. In the event of any rival claims, the parties are at liberty to work out their remedies before the competent Civil Court. It is needless to state that before conducting the survey, notice shall be issued to the adjacent landowners and other interested parties and if required, necessary police protection may be sought.



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6. With the above directions, this Writ Petition stands disposed of.

There shall be no order as to costs.

[K.SURENDER, J.]

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Index : Yes / No

Neutral Citation : Yes / No

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