



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2018

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.5546 of 2018

S.Nagar : Petitioner

Vs.

1.The Tahsildar,
Agasteeswaram Taluk
Nagercoil.

2.The District Surveyor,
Survey Department,
Nagercoil.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to survey and measure the property comprised in Survey Nos.142-7, 142-8. 142-4, 142-4A and 4B&142-5 situated at Theraikalpudur Village, Agasteeswaram Taluk, Nagercoil Kanyakumari District on the basis of the petitioner's representation dated 10.01.2018.

For Petitioner : Mr.B.Jameel Arasu

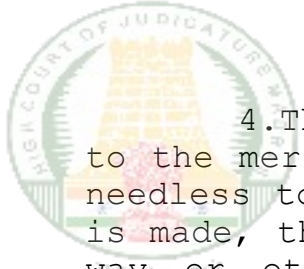
For Respondents : Mr.N.Shanmuga Selvam,
Additional Government Pleader

ORDER

Heard Mr. B.Jameel Arasu, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Additional Government Pleader, who takes notice on behalf of the respondents.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.It is the grievance of the petitioner that his representation dated 10.01.2018 seeking for survey of his land has not been considered by the respondents till date and therefore, has filed the present writ petition.



4.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5.In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 10.01.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done, after giving due opportunity to the petitioner.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Tahsildar,
Agasteeswaram Taluk
Nagercoil.

2.The District Surveyor,
Survey Department,
Nagercoil.

+1cc to Mr. B.JAMEEL ARASU, Advocate in SR.No.64554

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SB-AK/JC/SAR3/24/05/2018/2P/4C

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