



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.6253 of 2018

S.J.Krishna
rep.by his power of attorney
M.Pandian

... Petitioner

vs.

1. The Tahsildar
Tahsildar Office
Bodinayakkanur
Theni, Theni District

2. The Surveyor
Surveyor Office
Bodinayakkanur
Theni, Theni District

3. The Inspector of Police
Kurangani Police Station
Bodi, Theni District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to consider the petitioner's representation, dated 23.02.2018 and consequently, direct them to survey and fix the boundary lines with necessary police protection of the property in Survey No.521/2, situated at West Paramasivan Kovil, Bodinayakkanur Village, Theni District.

For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for 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 23.02.2018 seeking to survey the land comprised in Survey No.521/2, situated at the western side of Paramasivan Kovil, Bodinayakkanur Village, Theni District and fix boundary lines for the said land has not been considered by the respondents till date and therefore, he 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 the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred 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 23.02.2018 on its own merits and take further action in accordance with law, within a period of six 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 as well as to the persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(Crl side)

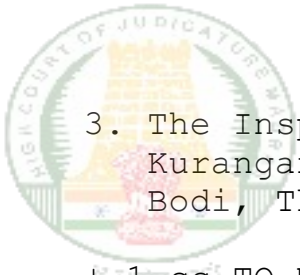
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Sub Assistant Registrar(CS-I)

To:

1. The Tahsildar,
Tahsildar Office,
Bodinayakkanur,
Theni, Theni District.

2. The Surveyor,
Surveyor Office,
Bodinayakkanur,
Theni, Theni District.



3. The Inspector of Police,
Kurangani Police Station,
Bodi, Theni District.

+1 cc TO Mr.G.M.Xavier , Advocate in SR No. 73437

+1 cc TO The Special Government Pleader in SR No. 73670

krk

AE/SV/SAR1/24.07.2018/3P/6C

W.P. (MD) No.6253 of 2018
16.07.2018

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