



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9748 of 2018

S.Adaikkalasamy

... Petitioner

vs.

1. The District Collector,
Pudukkottai,
Pudukkottai District.

2. The Assistant Director of Surveys,
Pudukkottai,
Pudukkottai District.

3. The Tahsildar,
Karampakkudy Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent to direct the 2nd Respondent to survey the petitioner's lands and fixing the boundary marks based on the petitioner's representation dated 05.03.2018.

For Petitioner : Mr.S.Muthalraj

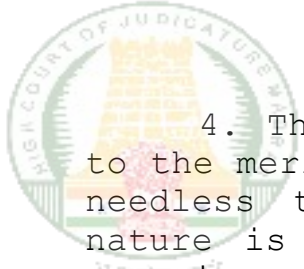
For Respondents : Mr.N.Shanmuga Selvam
Additional Government Pleader

O R D E R

Mr.N.Shanmuga Selvam, 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 05.03.2018 seeking to direct the 2nd Respondent to survey his lands and fixing the boundary marks, has not been considered by the first respondent 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 05.03.2018 on its own merits and take further action in accordance with law, within a period of eight 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 and to any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Pudukkottai, Pudukkottai District.
2. The Assistant Director of Surveys,
Pudukkottai, Pudukkottai District.
3. The Tahsildar,
Karampakkudy Taluk,
Pudukkottai District.

+1CC to Mr.Na.Palaniyandi, Advocate, Sr.64085

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JM/KKR/SAR-I/17.05.2018/2P-5C

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