

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 27.04.2018****CORAM****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.9858 of 2018**

Gnanasekaran

: Petitioner

Vs.

1. The Revenue Divisional Officer,
Dindigul, Dindigul District.

2. The Tahsildar,
Dindigul West Taluk Office,
Dindigul District.

3. The Taluk Surveyor,
Dindigul West Taluk Office,
Dindigul District.

: 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 conduct survey over the petitioner's property measuring 5 ½ cent in S.No.102/6C1 of Kurumbapatty Village, Dindigul West Taluk, Dindigul District and to sub divide the petitioner's extent in FMB sketch.

For Petitioner : Mr.Thirunavukkarasu

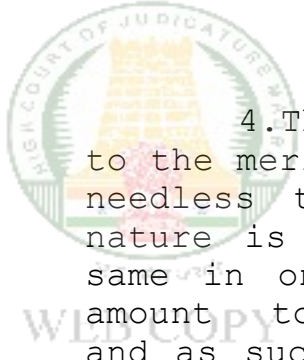
For Respondents : Mr.V.Anand,
Government Advocate.

ORDER

Heard Mr.Thirunavukkarasu, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, 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 18.02.2017 to survey the property in S.No.102/6C1 of Kurumbapatty Village, Dindigul West Taluk, Dindigul District and sub divide the same 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 second respondent to consider the petitioner's representation dated 18.02.2017 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 any other persons, who may be interested in the subject property.

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

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Dindigul, Dindigul District.
2. The Tahsildar,
Dindigul West Taluk Office,
Dindigul District.
3. The Taluk Surveyor,
Dindigul West Taluk Office,
Dindigul District.

+ 1 cc TO Mr.M.Thirunavukkarasu , Advocate in SR No. 63888

Myr
AE/SV MMS/SAR2/30.05.2018/2P/5C

W.P. (MD) No.9858 of 2018
27.04.2018