



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.8117 of 2018

G.Palanichamy

... Petitioner

Vs.

The Deputy Inspector of Survey,
Office of the Tahsildar,
Aundipatti, Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to survey the petitioner's land situated in Survey No.1158/3, BIT-II, Thimmarasanayakkanur, Aundipatti Taluk, Theni District, on the basis of the petitioner's representation dated 02.04.2018 for the purpose of fixing the boundaries and to put fencing stones around the petitioner's land.

For Petitioner : Mr.G.Rajan
For Respondent : Mr.S.Nagarajan,
Special Government Pleader.

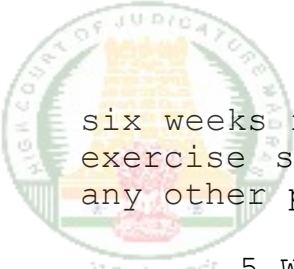
ORDER

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

2.It is the grievance of the petitioner that his representation dated 02.04.2018 seeking for surveying his property in Survey No.1158/3, BIT-II, Thimmarasanayakkanur, Aundipatti Taluk, Theni District has not been considered by the respondent till date and therefore, has filed the present writ petition.

3.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.

4.In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 02.04.2018 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 made, after giving notice to the petitioner and any other persons, who may be interested in the subject property.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Deputy Inspector of Survey,
Office of the Tahsildar,
Aundipatti, Theni District.

+1cc to M/S.G.Rajan, Advocate SR.No. 61362

W.P. (MD) No. 8117 of 2018
13.04.2018

myr

JM/KK/SAR 3/25.04.2018/2P/3C