

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.8729 of 2018****WEB COPY**

T.P. Subburam

... Petitioner

vs.

1. The District Collector,
District Collector's Office,
Dindigul, Dindigul District.
2. The Tahsildhar,
Dindigul (East),
Taluk Office, Dindigul,
Dindigul District.
3. The Surveyor,
Taluk Office (East),
Dindigul, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to carry out survey at the property situated at Dindigul District, Dindigul East Taluk, Vembarpatti Village, S.F.No.260, 254/5BB as per RTR 121/47-48 dated 13.06.1947 settlement survey record in the light of the petitioner's representation dated 02.01.2018 within a stipulated period.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.V.Anand

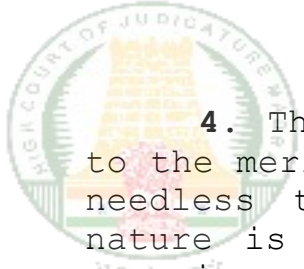
Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, 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 02.01.2018 seeking to carry out survey at the property situated at Dindigul District, Dindigul East Taluk, Vembarpatti Village, S.F.No.260, 254/5BB as per RTR 121/47-48, 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 second respondent to consider the petitioner's representation dated 02.01.2018 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 property.

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 District Collector,
District Collector's Office,
Dindigul, Dindigul District.
2. The Tahsildhar,
Dindigul (East),
Taluk Office, Dindigul,
Dindigul District.
3. The Surveyor,
Taluk Office (East),
Dindigul, Dindigul District.

+1cc to Mr.R.Sundar, Advocate Sr.No.62556

AAV

VB/SV/MMS/SAR1/22/05/2018/2P/5C

W.P. (MD) No.8729 of 2018
20.04.2018