



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.9197 of 2018

N.Ramasamy

... Petitioner

vs.

1.The Tahsildar
Kariyapatti Taluk
Virudhunagar District

2.The Surveyor
Kariyapatti Taluk
Virudhunagar District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to survey and fix boundaries in the petitioner's property in Survey No.124/6 in Kalkurichi Village, Aruppukottai Taluk, Virudhunagar District, based on the petitioner's representation, dated 06.04.2018, within a stipulated time.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.S.Nagarajan

Special Government Pleader

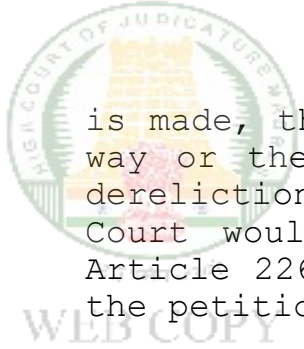
O R D E R

Mr.S.Nagarajan, learned Special 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 06.04.2018 seeking to survey and fix boundaries in the his property comprised in Survey No.124/6 of Kalkurichi Village, Aruppukottai Taluk, Virudhunagar District, 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 06.04.2018 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 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 direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

1.The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

2.The Surveyor,
Kariyapatti Taluk,
Virudhunagar District

+1cc to M/s.J.Jeyakumaran, Advocate, SR.No.63684

krk
RL/4C/2P/SV/MMS/SAR4/28/4/2018

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25.04.2018