



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.9203 of 2018

Dhanalakshmi

... Petitioner

vs.

1.The District Collector
Trichy District, Trichy

2.The Taluk Surveyor
Manapparai Taluk
Trichy District

3.Chelladurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to resurvey the land in Survey No.897/14, situated at Kumaravadi Village, Manapparai Taluk, Trichy District, on the basis of the petitioner's representation, dated 09.04.2018, within a stipulated time.

For Petitioner : Mr.A.P.Balasubramani

For Respondents : Mr.N.Shanmugaselvam

1 & 2

Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 her representation dated 09.04.2018 seeking to resurvey the land comprised in Survey No.897/14 of Kumaravadi Village, Manapparai Taluk, Trichy District, has not been considered by the respondents 1 and 2 till date and therefore, she 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 09.04.2018 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 as well as to the third respondent and 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,
Trichy District, Trichy.

2. The Taluk Surveyor,
Manapparai Taluk,
Trichy District.

W.P. (MD) No.9203 of 2018
25.04.2018

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JM/SV MMS/SAR 1/18.05.2018/2P/3C