



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9623 of 2018

Murugan ... Petitioner

vs.

1.The Tahsildar
Natham Taluk Office
Natham, Dindigul District

2.The Inspector of Police
Natham Police Station
Natham, Dindigul District

3.The Head Surveyor
Natham Taluk Office
Natham, Dindigul District

4.Nallapitchammal

5.Alagarsamy

6.Chinnaraj ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to measure and issue Patta in his name with regard to the lands in Survey Nos.322/4B5, 322/4C, 337/7B, 337/8B, 341/1C, 341/7A, 344/8B, 345/1C and 589/4 situated in Siranattupatti Village, Natham Taluk, Dindigul District and further direct the second respondent to give adequate police protection to measure the said property based on the petitioner's representation, dated 12.03.2018.

For Petitioner : Mr.G.Gomathisankar

For Respondents : Mr.S.Nagarajan

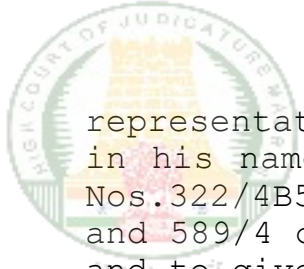
Special Government Pleader for R1 to R3

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 to 3. Notice to the respondents 4 to 6 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 his



representation dated 12.03.2018 seeking to measure and issue a Patta in his name with in respect of the properties, comprised in Survey Nos.322/4B5, 322/4C, 337/7B, 337/8B, 341/1C, 341/7A, 344/8B, 345/1C and 589/4 of Siranattupatti Village, Natham Taluk, Dindigul District and to give adequate police protection to measure the said property, has not been considered by the respondents 1 to 3 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 third respondent to consider the petitioner's representation dated 12.03.2018 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 respondents 4 to 6 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 (T&P)

/True copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Natham Taluk Office,
Natham, Dindigul District.
2. The Inspector of Police,
Natham Police Station,
Natham, Dindigul District.
3. The Head Surveyor,
Natham Taluk Office,
Natham, Dindigul District.

+1cc to Mr.G.Gomathisankar, Advocate, SR.No.63687.

W.P. (MD) No.9623 of 2018
26.04.2018

krk