



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15876 of 2018

S.Kamatchi

... Petitioner

vs.

1. The District Collector,
O/o.The District Collector,
Karur District, Karur.
2. The Tahsildar,
Krishnarayapuram Taluk,
Krishnarayapuram,
Karur District.
3. The Taluk Surveyor,
Krishnarayapuram Taluk,
Krishnarayapuram,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to initiate necessary action to measure and mark the boundaries in respect of petitione's house property comprised in Survey Nos.1356/13, 1359/15 for an extent of 0.00.91 sq.ft situated at No.37, Arisana Street, Mahadhanapuram North, Krishnarayapuram Taluk, Karur District and to issue patta in favour of the petitioner based on the petitioner's representation dated 19.07.2017, within the period stipulated by this Court.

For Petitioner : Mr.K.A.S.Prabhu

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

O R D E R

Mr.J.Gunaseelanmuthiah, learned Additional 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 19.07.2017 seeking to measure and mark the boundaries in respect of petitione's house property comprised in Survey Nos.1356/13, 1359/15 for an extent of 0.00.91 sq.ft situated at No.37, Arisana Street, Mahadhanapuram North, Krishnarayapuram



Taluk, Karur District and to issue patta in favour of the petitioner, has not been considered by the second respondent 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 19.07.2017 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 conducting enquiry and giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The District Collector,
O/o.The District Collector,
Karur District, Karur.
2. The Tahsildar,
Krishnarayapuram Taluk,
Krishnarayapuram,
Karur District.
3. The Taluk Surveyor,
Krishnarayapuram Taluk,
Krishnarayapuram,
Karur District.

+ 1 CC TO Mr.K.A.S.PRABHU, ADVOCATE IN SR No. 74087
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74365

PNN

TE/RP/SAR-1 : 31/07/2018 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No.15876 of 2018
20.07.2018