



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.10089 of 2018

WEB COPY

Perumal Konar

... Petitioner

vs.

1.The Tahsildar
Radhapuram Taluk
Tirunelveli District

2.The Taluk Surveyor
Radhapuram Taluk
Tirunelveli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to survey the petitioner's land situated in Old Survey No.240/3 A3 & 51/36 and New Survey No.956/23 situated at Thisayanvilai attached to Perumal Temple vide his representation, dated 22.12.2016.

For Petitioner : Mr.D.Saravanan
For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, 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 22.12.2016 seeking to survey his land comprised in Old Survey Nos.240/3 A3 & 51/36 and New Survey No.956/23 of Thisayanvilai attached to Perumal Temple, 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 22.12.2016 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 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 (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

2.The Taluk Surveyor,
Radhapuram Taluk,
Tirunelveli District.

+1CC to Mr.D.Saravanan Advocate in SR.NO.64341.

KRK

DS/JC/SAR-3 :25.05.2018: 2P/4C

W.P.(MD) No.10089 of 2018
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