



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD) No.13296 of 2018
and
W.M.P.(MD).No.12101 of 2018

Karthikeyan

... Petitioner

Vs.

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Tahsildar, Boothalur Taluk,
Thanjavur District.
3. The Surveyor, Boothalur Taluk,
Thanjavur District.
4. The Block Development Officer,
Boothalur Union, Thanjavur District,
5. The Special Officer,
Sanoorapatti Village Panchayat,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3, to survey the lands of the petitioner bearing survey No.179/3, New S.No.179/21 to the extent of 0.55.00 ares at Sanoorapatti, Boothalur Taluk, Thanjavur District and fix boundaries thereon on the basis of his representation dated 28.05.2018 within a specified period as may be fixed by this Court.

For Petitioner : Mr.C.K.M.Appaji

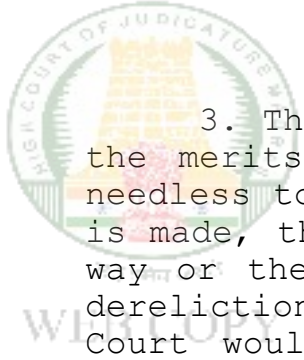
For Respondents : Mr.J.Gunaseelanmuthaiah

Additional Government Pleader

ORDER

Heard Mr.C.K.M.Appaji, learned counsel appearing for the petitioner. Mr.J.Gunaseelanmuthaiah, learned Additional Government Pleader, appearing for the respondents.

2. It is the grievance of the petitioner that his representation dated 05.03.2018, seeking for survey the lands of the petitioner bearing survey No.179/3, New S.No.179/21 to the extent of 0.55.00 ares at Sanoorapatti, Boothalur Taluk, Thanjavur District and fix boundaries, has not been considered by the second and third respondents till date and therefore, he has filed the present writ petition.



3. 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 an 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.

4. 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 05.03.2018, 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 conducting enquiry and giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

1. The District Collector, Thanjavur District,
Thanjavur.
2. The Tahsildar, Boothalur Taluk, Thanjavur District.
3. The Surveyor, Boothalur Taluk, Thanjavur District.
4. The Block Development Officer,
Boothalur Union, Thanjavur District,
5. The Special Officer, Sanoorapatti Village Panchayat,
Thanjavur District.

+1CC to Mr.C.K.M.Appaji, Advocate, SR.No. 74093

+1CC to the Special Government Pleader SR.No. 74116

W.P.(MD) No.13296 of 2018 and

W.M.P.(MD).No.12101 of 2018

19.07.2018