

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 07.06.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.12065 of 2018**

Siva Brindha

... Petitioner

vs.

1. The District Collector
Theni District
Theni.
2. The Thasildhar
Antipatti Taluk
Theni District
3. The Taluk Surveyor
Antipatti Taluk, Nilakottai
Theni District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to measure the petitioner's minor daughter Yashika properties in S.No.556/5, 556/5B, 556/5B2, 2065, 1820/6, 1816/7 situated at Mayiladumparai Revenue Village, Antipatti Taluk, Theni District on the basis of the petitioner's representation dated 02.05.2018.

For Petitioner : Mr.P.Balan

For Respondents : Mr.V.Anand
Government Advocate**ORDER**

Mr.V.Anand, learned Government Advocate 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 02.05.2018 seeking to measure the petitioner's minor daughter Yashika properties in S.No.556/5, 556/5B, 556/5B2, 2065, 1820/6, 1816/7 situated at Mayiladumparai Revenue Village, Antipatti Taluk, Theni District, has not been



considered by the third 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 third respondent to consider the petitioner's representation dated 02.05.2018 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 giving due opportunity to the petitioner as well as to the respondents 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(AS)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector
Theni District, Theni.
2. The Thasildhar,
Antipatti Taluk, Theni District
3. The Taluk Surveyor,
Antipatti Taluk, Nilakottai,
Theni District.

+ 1 cc TO Mr.P.Balan , Advocate in SR No. 67557

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AE/SKN RSK/SAR1/14.06.2018/2P/5C

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