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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12151 of 2018

V.Thirupathi ... Petitioner

-Vs-

1. The District Collector,
   Trichy, Trichy District.

2. The Tahsildar,
   Manachanallur Taluk,
   Trichy District.

3. The Taluk Surveyor,
   Manachanallur Taluk,
   Trichy District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 14.11.2017 to survey petitioner's land by fixing the boundary of petitioner's land in Survey No.349/2 situated at Kattayanpallam land in Thiruvallarai Village, Manachanallur Taluk, Trichy District within a time prescribed by this Court.

For Petitioner : Mr.S.Karthik
For Respondents : Mr.V.Anand,
Government Advocate.

ORDER

Heard Mr.S.Karthik, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, who takes notice on behalf of 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 14.11.2017 to survey his land and fix boundary in Survey No.349/2 situated at Kattayanpallam land in Thiruvallarai Village, Manachanallur Taluk, Trichy District, has

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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 third respondent to consider the petitioner's representation dated 14.11.2017 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 giving due opportunity to the petitioner and any other persons, who may be interested in the subject property.

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,
   Trichy, Trichy District.

2. The Tahsildar,
   Manachanallur Taluk,
   Trichy District.

3. The Taluk Surveyor,
   Manachanallur Taluk,
   Trichy District.

+ 1 CC TO Mr.S.KARTHIK, ADVOCATE IN SR No. 67340

MYR
TE/SB/SAR-2 : 19/06/2018 : 2P/5C

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