



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.12325 of 2018

V.Ramachandran

... Petitioner

vs.

1. The Tahsildar,
Thiruchendur Taluk,
Thoothukudi District.

2. The Taluk Head Surveyor,
Thiruchendur Taluk,
Thoothukudi District.

3. The Village Administrative Officer,
Thiruperai Village,
Thiruchendur Taluk,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to conduct survey of the petitioner's property of 1.25 cents in R.Sy.No.1032/4 of Thenthiruperai Village, Thiruchendur Taluk, Thoothukudi District, within a stipulated time.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.J.Gunaseealan Muthiah

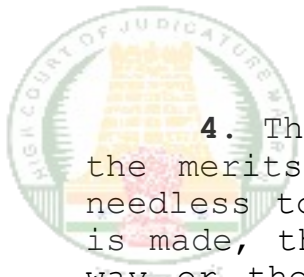
Additional Government Pleader

O R D E R

Mr.J.Gunaseealan Muthiah, 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 22.01.2018, seeking to survey his land, comprised in Re Survey No.1032/4 of Thenthiruperai Village, Thiruchendur Taluk, Thoothukudi District, measuring an extent of 1.25 Cents, has not been considered by the first 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 first respondent to consider the petitioner's representation dated 22.01.2018 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-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Thiruchendur Taluk,
Thoothukudi District.
2. The Taluk Head Surveyor,
Thiruchendur Taluk,
Thoothukudi District.
3. The Village Administrative Officer,
Thiruperai Village,
Thiruchendur Taluk,
Thoothukudi District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 67790
+ 1 CC TO Mr.M.R.SREENIVASAN, ADVOCATE IN SR No. 67642

KRK

TE/JC/SAR-2 : 20/06/2018 : 2P/6C