



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.12362 of 2018

and

W.M.P. (MD) No.11244 of 2018

K.Lingam

... Petitioner

vs.

1. The Tahsildar
Kamudhi Taluk
Ramanathapuram District

2. The Head Surveyor
Kamudhi Taluk Office
Kamudhi
Ramanathapuram District

3.R.Senthamarai

... 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 lands and fix boundary stones in respect of survey No.211/1A1J situated at Udaiyanathapuram, Abiramam Post, Kamudhi Taluk, Ramanathapuram District, within a stipulated time.

For Petitioner : Mr.S.Sivakumar

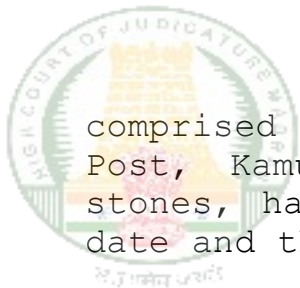
For Respondents: Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 survey his lands



comprised in Survey No.211/1A1J of Udaiyanathapuram, Abiramam Post, Kamudhi Taluk, Ramanathapuram District and fix boundary stones, has not been considered by the official 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 first 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 two months 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 third respondent 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Kamudhi Taluk,
Ramanathapuram District.
2. The Head Surveyor,
Kamudhi Taluk Office,
Kamudhi, Ramanathapuram District.

+ 1 cc TO The Special Government Pleader in SR No. 67792

krk

AE/SV MMS/SAR2/20.06.2018/2P/4C

**W.P. (MD) No.12362 of 2018
and**

**W.M.P (MD) No.11244 of 2018
11.06.2018**