



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.13246 of 2018

P.Thangaiah

: Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Tahsildar,
Theni Taluk,
Theni.

3.The Taluk Surveyor,
Theni Taluk,
Theni District.

4.The Inspector of Police,
Palani Chettipatti Police Station,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take necessary steps to measure the land and fix the four boundaries bearing S.No.1405/28 (Old S.No.1405/3A1) belonging to the petitioner with the necessary police protection, by considering the petitioner's representation dated 01.06.2018, within a stipulated time, in accordance with law.

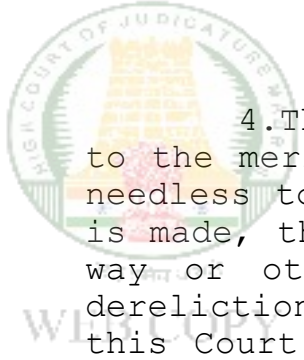
For Petitioner	:	Mr.M.Prabu
For Respondents	:	Mr.V.Anand, Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, 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 01.06.2018 to measure his land and fix the four boundaries in S.No.1405/28 (Old S.No.1405/3A1), has not been considered by the respondents till date. 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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 by the petitioner in the present Writ Petition, there shall be a direction to the second respondent/Tahsildar, Theni Taluk, Theni, to conduct an elaborate enquiry with regard to title over the property in question, after giving notice to all the parties concerned and thereafter, pass orders on the petitioner's representation dated 01.06.2018 on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District.

2. The Tahsildar,
Theni Taluk,
Theni.

3. The Taluk Surveyor,
Theni Taluk,
Theni District.

4. The Inspector of Police,
Palani Chettipatti Police Station,
Theni District.

+1cc to Mr.M.Prabu, Advocate, SR.No.69215.

Order made in
W.P. (MD) No.13246 of 2018
Dated: 21.06.2018

sml

<https://hcservices.ecourts.gov.in/hcservices/>

RAM/JC/SAR 4/29.06.2018/2P/6C