



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESHW.P. (MD) No.14394 of 2018

Muthu

... Petitioner

vs.

1.The Tahsildar
Tahsildar Office
Thirumayam
Pudukkottai District

2.Surveyor
Taluk Tahsildar Office
Thirumayam
Pudukkottai District

... 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 land which is situated at the part and parcel of Melathemuthupatti Village, Thekkattur Panjayath, Thirumayam Taluk, Pudukkottai District, in old survey No.533/5, New Survey No.533/6 after sub division as per Natham Survey No.533/20 to the extent of 0.13.0 Ares enjoyed by the petitioner in the southern side in the total extent of 0.29.5 Ares and issue a Patta in the name of the petitioner in considering the representation, dated 16.04.2018.

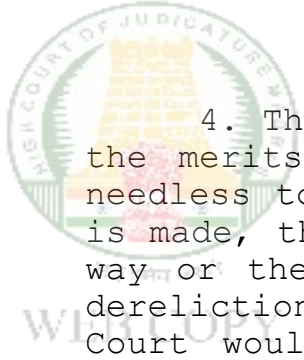
For Petitioner : Mr.C.Nagamuthu
For Respondents : Mr.S.Nagarajan
Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special 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 16.04.2018 seeking to survey the land, comprised in old Survey No.533/5, New Survey No.533/6, after sub division as per Natham Survey No.533/20, of Melathemuthupatti Village, Thekkattur Panchayath, Thirumayam Taluk, Pudukkottai District, measuring an extent of 0.13.0 Ares and issue Patta in his name, has 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 second respondent to consider the petitioner's representation dated 16.04.2018 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 persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1.The Tahsildar,
Tahsildar Office,
Thirumayam,
Pudukkottai District.

2.The Surveyor,
Taluk Tahsildar Office,
Thirumayam,
Pudukkottai District.

+1CC to Mr.V.Selva Advocate in SR.No.71386.

KRK

DS/PN/SAR-2 :13.07.2018:2P/4C

W.P.(MD) No.14394 of 2018

05.07.2018