



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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W.P. (MD) No.14417 of 2018

P.Periyanan

... Petitioner

Vs.

1. The District Collector,
Sivagangai District.

2. The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

3. The Assistant Director,
Department of Survey and Land Records,
Collectorate campus,
Sivagangai District.

4. The Taluk Surveyor,
Kalaiyarkovil Taluk,
Sivagangai District.

5. A.Veerakalai

... 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 survey the entire land comprised in S.No.289 including the sub division situated in Maravamangalam village, Palkulam Group, Kalaiyarkovil Taluk, Sivagangai District by considering the representation of the petitioner dated 13.06.2018.

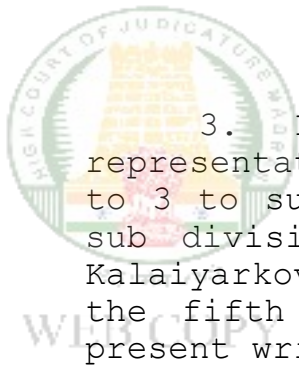
For Petitioner : Mr. A.K.Manickam

For R1 to R4 : Mr.V.Anand
Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 4. Notice to the fifth 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 13.06.2018 seeking to direct the respondents 1 to 3 to survey the entire land comprised in S.No.289 including the sub division situated in Maravamangalam village, Palkulam Group, Kalaiyarkovil Taluk, Sivagangai District, has not been considered by the fifth 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 second respondent to consider the petitioner's representation dated 13.06.2018 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 fifth respondents and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

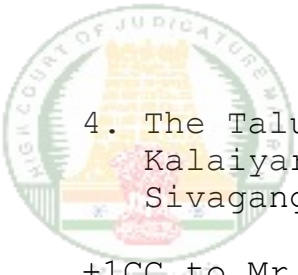
Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.
3. The Assistant Director,
Department of Survey and Land Records,
Collectorate campus,
Sivagangai District.



4. The Taluk Surveyor,
Kalaiyarkovil Taluk,
Sivagangai District.

+1CC to Mr. A.K.Manickam, Advocate, SR.No. 71457

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