

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 06.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.14459 of 2018****WEB COPY**

K.V.Nataraj

... Petitioner

vs.

1. The District Collector,
Dindigul District.
2. The Sub-Collector,
Palani, Dindigul District.
3. The Tahsildar,
Palani Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents, more particularly the second respondent to rectify the defect regarding the length of the land on the eastern side in Survey No.1203 situated at Palani village which was effected in the FMB sketch by the third respondent by considering the petitioner's representation dated 25.04.2018.

For Petitioner : Mr. D.Venkatesh

For Respondents: Mr.V.Anand

Government Advocate

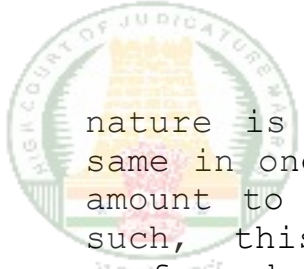
O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3.

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 25.04.2018 seeking to rectify the defect regarding the length of the land on the eastern side in Survey No.1203 situated at Palani village which was effected in the FMB sketch by the third respondent, 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 second respondent to consider the petitioner's representation dated 25.04.2018 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 conducting enquiry and giving due opportunity to the petitioner 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.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Dindigul District.
2. The Sub-Collector,
Palani, Dindigul District.
3. The Tahsildar,
Palani Taluk,
Dindigul District.

+1cc to Mr.D.Venkatesh, Advocate Sr.No.71644

PNN

VB/PN/SAR4/18.07.2018/2P/5C

W.P. (MD) No.14459 of 2018
06.07.2018