



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No.14476 of 2018

WEB COPY

R.Periyamayagi

... Petitioner

vs.

1. The Assistant Commissioner,
K.Abishekapuram Zonal Office,
Corporation Office,
Trichy District.

2. The Tahsildar (West)
Tahsildar Office,
Trichy West,
Trichy.

3. The District Surveyor,
K.Abishekapuram Zone,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents herein to survey the petitioner's land by fixing the boundary in New Survey No.97, Block No.19, Ward No.Y, Door No.57, Pattabiraman Pillai Road, Thennur, Trichy-17, on the basis of the petitioner's representation dated 12.06.2018, within a time stipulated by this Court.

For Petitioner : Mr.R.Yamuna

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 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 12.06.2018 seeking to survey the petitioner's land by fixing the boundary in New Survey No.97, Block No.19, Ward No.Y, Door No.57, Pattabiraman Pillai Road, Thennur, Trichy-17, 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 12.06.2018 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 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(AE)

/True Copy/

Sub Assistant Registrar

To:

1. The Assistant Commissioner,
K.Abishekapuram Zonal Office,
Corporation Office,
Trichy District.
2. The Tahsildar (West)
Tahsildar Office,
Trichy West,
Trichy.
3. The District Surveyor,
K.Abishekapuram Zone,
Trichy.

PNN

VB/PN/SAR4/18.07.2018/2P/4C

W.P. (MD) No.14476 of 2018
06.07.2018