



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.14680 of 2018

R.Saravanan

... Petitioner

vs.

1. The Superintendent of Police
O/o.Superintendent of Police
Dindigul, Dindigul District

2. The Tahsildar
Taluk Office
Dindigul District

3. The Inspector of Police
North Police Station
Dindigul, Dindigul District

4. The Assistant Director of Survey
Office of the Assistant Director of Survey
(Survey in lands)
Velu Nachiyar Compound
Dindigul, Dindigul District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 2 and 4 to consider the petitioner's representation, dated 26.04.2018 and survey the landed property situated at Survey Ward No.6, Block No.46, T.S.No.1804/4, Y.M.R.Patti, Gopal Nagar to an extent of 49099 sq.ft., with the aid of first and third respondents in order to save the petitioner's property and family members life at the hands of the named persons in the complaint.

For Petitioner : Mr.V.R.Venkatesan

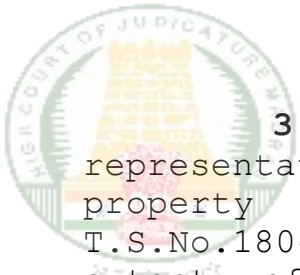
For Respondents: Mr.S.Nagarajan

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 26.04.2018 seeking to survey the landed property comprised in Survey Ward No.6, Block No.46, T.S.No.1804/4, situated at Y.M.R.Patti, Gopal Nagar, measuring an extent of 49099 sq.ft., 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 26.04.2018 on its own merits and take further action in accordance with law, within a period of eight 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-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
O/o.Superintendent of Police,
Dindigul, Dindigul District.
2. The Tahsildar,
Taluk Office,
Dindigul District.
3. The Inspector of Police,
Police Station,
Dindigul, Dindigul District.



4. The Assistant Director of Survey,
Office of the Assistant Director of Survey,
(Survey in lands),
Velu Nachiyar Compound,
Dindigul, Dindigul District.

+1cc to Mr.V.R.Venkatesan, Advocate Sr.No.71839

KRK

VB/RP/SAR1/13.07.2018/3P/6C

W.P. (MD) No.14680 of 2018
09.07.2018