



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

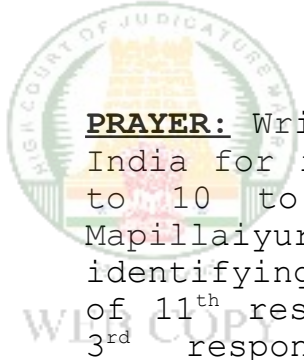
W.P.(MD) No.15125 of 2018

A.Radhakrishnan ... Petitioner

vs.

1. The Commissioner of Land Administration,
Chepauk,
Chennai 600 005.
2. The Commissioner of Survey and Settlements,
Chepauk, Chennai 600 005.
3. The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Nungambakkam High Road,
Chennai 600 034.
4. The Inspector General of Police,
South Zone, Madurai.
5. The District Collector,
Tuticorin District, Tuticorin.
6. The Assistant Director,
Land Survey, Tuticorin.
7. The Assistant Director of Panchayats,
Tuticorin.
8. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tirunelveli.
9. The Tahsildar,
Tuticorin.
10. The Superintending Engineer,
Tamil Nadu Electricity Board,
Tuticorin.
11. The Executive Officer,
Arulmigu Sankara Rameswarar Thirukoil,
Tuticorin-2.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 6 to 10 to measure the property in patta No.181 situated at Mapillaiyurani Village, Tuticorin Taluk and District and on identifying the boundaries, secure and safeguard the same in favour of 11th respondent temple by following the circulars issued by the 3rd respondent dated 15.05.2008, 17.08.2012, 01.08.2013 and 22.12.2014 as well as considering the petitioner's representation dated 07.07.2018.

For Petitioner : Mr.A.Radhakrishnan
(Party-in-person)

For RR1 to 10 : Mr.S.Nagarajan
Special Government Pleader

For RR11 : Mr.Muthugeethaiyan
Standing counsel

ORDER

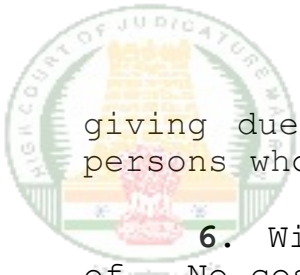
Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 to 10. Mr.Muthugeethaiyan, learned Standing counsel takes notice for the 11th respondent.

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 07.07.2018 with regard to measure the property situated at Mapillaiyurani Village, Tuticorin Taluk and District and on identifying the boundaries, secure and safeguard the same in favour of 11th respondent temple by following the circulars issued by the 3rd respondent dated 15.05.2008, 17.08.2012, 01.08.2013 and 22.12.2014, has not been considered by the 6th to 10th 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 an 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 ninth respondent to consider the petitioner's representation dated 07.07.2018 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 as well as to any other persons who may be interested in the subject matter.

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

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Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Commissioner of Land Administration,
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2. The Commissioner of Survey and Settlements,
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10. The Superintending Engineer,
Tamil Nadu Electricity Board,
Tuticorin.



11.The Executive Officer,
Arulmigu Sankara Rameswarar Thirukoil,
Tuticorin-2.

+1 CC to Mr.A.RADHAKRISHNAN, Advocate in SR.No.72601
+1 CC to Mr.M.MUTHUGEETHAYAN, Advocate in SR.No.72604

SJI
RJ/PN/SAR-3/26/07/2018 - 4P/14C

W.P. (MD) No.15125 of 2018
12.07.2018