



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15247 of 2018

M.Vasantha

... Petitioner

vs.

1. The Taluk Surveyor
Uthamapalayam Taluk
Theni District

2. The Tahsildhar
Uthamapalayam Taluk
Theni District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to conduct survey the petitioner's house property in survey number 2032/19 in an extent of 528 square feet situated at Uthamapalaiyam, Theni District and mark the boundaries within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.N.Shanmuga Selvam

Additional Government Pleader

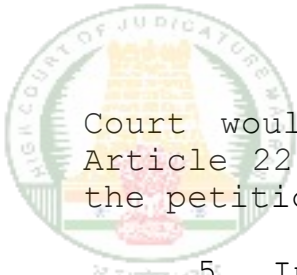
O R D E R

Mr.N.Shanmuga Selvam, learned Additional 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 14.05.2018 seeking to conduct survey in his house property in survey number 2032/19 situated at Uthamapalaiyam, Theni District, has not been considered by the second 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 14.05.2018 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 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(CS-IV)

To

1. The Taluk Surveyor
Uthamapalayam Taluk
Theni District

2. The Tahsildhar
Uthamapalayam Taluk
Theni District

+1cc to Mr.T.Thirumurugan, Advocate, SR.No.72858.

W.P.(MD) No.15247 of 2018
13.07.2018

AAV

RAM/SKN/SAR 4/24.07.2018/2P/4C