

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 16.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.15271 of 2018**

S.Pitchai

... Petitioner

vs.

The Tahsildhar
Madurai North
Madurai District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent herein to make a proper survey and measure the petitioner's land situated in old survey No.319/7 and New survey No.201/7 D-3 considering petitioner's representation dated 26.09.2017

For Petitioner : Mr.R.Sevugaraja

For Respondent : Mr.N.Shanmuga Selvam
Additional Government Pleader

O R D E R

Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the 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 26.09.2017 seeking to make a proper survey, has not been considered by the 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 respondent to consider the petitioner's representation dated 26.09.2017 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(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

The Tahsildhar,
Madurai North,
Madurai District.

Aav
AE/SKN RSK/SAR1/27.07.2018/2P/2C

W.P. (MD) No.15271 of 2018
16.07.2018