



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15307 of 2018

V.Subramani

... Petitioner

vs.

1. The District Collector
Dindigul District
Dindigul

2. The Tahsildar
Dindigul West
Dindigul, Dindigul District.

3. The Surveyor
Dindigul West Taluk,
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 to survey and demarcate the petitioner's property comprised in S.No.987/1B measuring an extent of 1-12.83 Hec and S.No.987/2 measuring an extent of 0.22.00 Hec situated at Pettinayakkan Patti, Devar Malai Thottam, Palakkanoothu Post, Dindigul District on the basis of the representation given by the petitioner dated 01.06.2018.

For Petitioner : Mr.D.Sadiq Raja
For Respondents : Mr.N.Shanmuga Selvam
Additional Government Pleader

ORDER

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 01.06.2018 seeking to survey and demarcate his property comprised in S.No.987/1B measuring an extent of 1-12.83 Hec and S.No.987/2 measuring an extent of 0.22.00 Hec situated at Pettinayakkan Patti, Devar Malai Thottam, Palakkanoothu Post, Dindigul 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 01.06.2018 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 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(W)

/True copy/

Sub Assistant Registrar(CS-III)

To:

1. The District Collector
Dindigul District
Dindigul
2. The Tahsildar
Dindigul West
Dindigul, Dindigul District.
3. The Surveyor
Dindigul West Taluk,
Dindigul, Dindigul District.

+1cc to Mr.D.Sadiq Raja, Advocate, SR.No.73113.

W.P.(MD) No.15307 of 2018
16.07.2018

AAV

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RAM/RP/SAR 3/27.07.2018/2P/5C