



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 15350 of 2018

P.Ramesh

... Petitioner

vs.

1. The Tahsildhar
Devakottai Taluk
Devakottai
Sivagangai District.

2. The Firka Surveyor
Devakottai Taluk
Devakottai
Sivagangai 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 petitioner's lands in S.F.No.120 to an extent of 3 Acres 98^{1/4} cents situated at Kunakarai Village, Porkudi Group, Devakottai Taluk, Sivagangai District on the basis of the petitioner's representation dated 03.01.2018.

For Petitioner : Mr.S.Madhavan

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

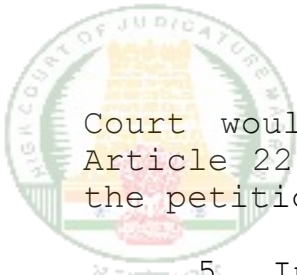
ORDER

Mr.J.Gunaseelan Muthiah, 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 03.01.2018 seeking to survey his land, has not been considered by the first 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 first respondent to consider the petitioner's representation dated 03.01.2018 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 directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS-II)

To

1. The Tahsildhar
Devakottai Taluk
Devakottai
Sivagangai District.

2. The Firka Surveyor
Devakottai Taluk
Devakottai
Sivagangai District

+1cc to Mr.S.Madhavan, Advocate, SR.No.73098.

+1cc to Special Government Pleader, SR.No.73597.

W.P. (MD) No.15350 of 2018
16.07.2018

AAV

RAM/SKN/SAR 2/26.07.2018/2P/5C