



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15387 of 2018

M.Perumalammal

... Petitioner

vs.

1. The District Surveyor
Dindigul District
Dindigul

2. The Taluk Surveyor
Ottachanthiram Taluk
Ottanchanthiram
Dindigul 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 in the petitioner's house property in survey number 469/1 in an extent of 2 cents situated at Kuthiluppai Vilalge, Ottanchanthiram Taluk, Dindigul District and mark the boundaries, within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
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 her representation dated 13.06.2018 seeking to conduct survey in his house property, has not been considered by the first respondent till date and therefore, she 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 13.06.2018 on its own merits and take further action in accordance with law, within a period of eight 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-III)

To

1. The District Surveyor,
Dindigul District,
Dindigul.
2. The Taluk Surveyor,
Ottachanthiram Taluk,
Ottanchanthiram,
Dindigul District.

+1 CC to Mr.T.THIRUMURUGAN, Advocate in SR.No.73219
+1 CC to the Special Government Pleader, SR.No.73673

AAV

RJ/PN/SAR-3/25/07/2018 - 2P/5C

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