



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 15411 of 2018

and

W.M.P.(MD)No.13869 of 2018

P.Thangathai

... Petitioner

Vs.

1. The Sub-Collector,
Sub Collector Office,
Cheranmahadevi,
Tirunelveli District.
2. The Tahsildar,
Nanguneri Taluk Office,
Tirunelveli District.
3. The Taluk Surveyor,
Nanguneri Taluk Office,
Tirunelveli District.

4. S.Amutha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the third respondent to consider the petitioner's representation dated 05.07.2018 to measure her land in Survey No.258/1 to an extent of 27 cents at Sivalaperi Village, Nanguneri Taluk, Tirunelveli District and fix the boundaries stones as per revenue records within time frame fixed by this Court.

For Petitioner : Mr.V.John

For R1 to R3 : Mr.V.Anand

Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of the nature of the order passed in this writ petition.

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 05.07.2018 seeking to measure her land in Survey No.258/1 to an extent of 27 cents at Sivalaperi Village,



Nanguneri Taluk, Tirunelveli District and fix the boundaries stones, as per revenue records, 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 05.07.2018 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 the fourth respondent and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1. The Sub-Collector,
Sub Collector Office,
Cheranmahadevi, Tirunelveli District.
2. The Tahsildar, Nanguneri Taluk Office,
Tirunelveli District.
3. The Taluk Surveyor, Nanguneri Taluk Office,
Tirunelveli District.

+1CC to Mr.V.M.JEGADEESHA PANDIAN, Advocate, SR.No. 73337

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