

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.15777 of 2018**

WEB COPY

Ragupathi

... Petitioner

vs.

1. The Tahsildar,
Musiri Taluk,
Trichy District.

2. The Head Surveyor,
Taluk Office,
Musiri, Trichy 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 the petitioner's land in survey Nos.140/1 to an extent of 1.92 acres and 140/2 to an extent of 1.04 acres situated at Natchiyapudhur Village, Mullipadi Village Majara, Musiri Taluk, Trichy District and to fix boundary stones by considering the petitioner's application dated 27.06.2018 within a time frame that may be fixed by this Court.

For Petitioner : Mr.R.Pon Karthikeyan
For Respondents : Mr.J.Gunaseelanmuthiah,
Additional Government Pleader.

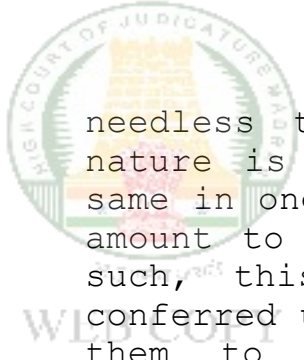
O R D E R

Mr.J.Gunaseelanmuthiah, 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 27.06.2018, seeking to survey his land situated in survey Nos.140/1 to an extent of 1.92 acres and 140/2 to an extent of 1.04 acres situated at Natchiyapudhur Village, Mullipadi Village Majara, Musiri Taluk, Trichy District and to fix boundary stones, 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 27.06.2018 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 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.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Musiri Taluk,
Trichy District.
2. The Head Surveyor,
Taluk Office,
Musiri, Trichy District.

+2cc to M/S.Mr.R.Pon Karthikeyan, Advocate SR.No.73785,74472

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.74098

Cp

MK/SKN/SAR 1/01.08.2018/2P/6C

W.P. (MD) No.15777 of 2018
19.07.2018