



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15812 of 2018

WEB COPY

A.Selvaraj

... Petitioner

vs.

1.The District Collector,
Virudhunagar District.

2.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

3.The Taluk Surveyor,
Kariapatti Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to measure the property of the petitioner's Survey No.93/4A in Aviyur Revenue Village of Kariapatti Taluk, Virudhuangar District as per cost paid by the petitioner dated 10.05.2018 and 05.06.2018 as well as the representation made by the petitioner within the time limit prescribed by this Court.

For Petitioner : Mr.K.C.Ramalingam

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

O R D E R

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 05.06.2018 seeking to measure the petitioner's property in Survey No.93/4A in Aviyur Revenue Village of Kariapatti Taluk, Virudhuangar District, as per cost paid by the petitioner, 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 05.06.2018 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 (CS-I)

/True copy/

Sub Assistant Registrar (CS-III)

To:

1.The District Collector,
Virudhunagar District.

2.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

3.The Taluk Surveyor,
Kariapatti Taluk,
Virudhunagar District.

+1cc to Mr.K.C.RAMALINGAM, Advocate, SR.No.74192

+1cc to M/s.Special Government Pleader,SR.No. 74364

W.P. (MD) No.15812 of 2018
20.07.2018

PNN

KK/SKN/SAR-3/07.08.2018/2P-6C/