



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15944 of 2018

P.Robin Joseph

... Petitioner

vs.

1.The Head Surveyor,
Thiruvenkatam Taluk,
Tirunelveli District.

2.The Thasildar,
Thiruvenkatam Taluk,
Tirunelveli 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 and fix the boundaries of the properties of the petitioner in survey nos.559/1, 571/4, 677/2A5, 570/3, 555/3G, 570/4, 571/3, 679/2, 571/5 and 570/2 by considering the application dated 10.07.2017 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.N.Shanmuga Selvam,

Additional Government Pleader

O R D E R

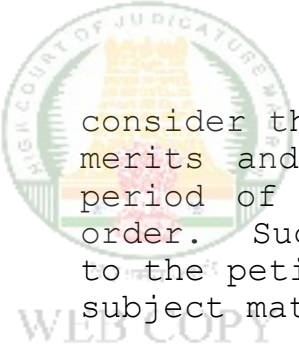
Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the respondents.

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 10.07.2017 seeking to measure and fix the boundaries of the properties of the petitioner, has not been considered by the respondents 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 10.07.2017 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-II)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Head Surveyor,
Thiruvenkatam Taluk,
Tirunelveli District.

2.The Thasildar,
Thiruvenkatam Taluk,
Tirunelveli District.

+1cc to Mr.S.C.Herold Singh, Advocate, SR.No.74122

W.P.(MD) No.15944 of 2018
20.07.2018

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