



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16222 of 2018

WEB COPY

S.Lakshmi

... Petitioner

vs.

1.The Tahsildar
Dindigul East Taluk
Dindigul

2.The Taluk Surveyor
Dindigul East Taluk
Dindigul

3.M.Dhanaselvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to conduct the survey and demarcate the petitioner's land in respect of S.F.No.832/2A2 (ie., Middle of the property in S.F.No.832/2A to an extent of 70 cents) situated at Balakrishnapuram Village, Dindigul East Taluk, Dindigul District, within a stipulated time.

For Petitioner : Mr.V.Muthukamatchi

For Respondents : Mr.J.Gunaseelan Muthiah

Additional Government Pleader for R1 & R2

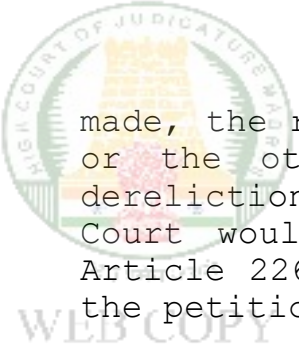
O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 application dated 05.06.2017 seeking to survey and demarcate her land comprised in S.F.No.832/2A2 (ie., Middle of the property in S.F.No.832/2A, measuring an extent of 70 cents) of Balakrishnapuram Village, Dindigul East Taluk, Dindigul District, has not been considered by the respondents 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 application made by the petitioner. It is needless to point out that whenever an application 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 application 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 application dated 05.06.2017 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 as well as to the third 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.

Sd/
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar(CS-III)

To:

1.The Tahsildar,
Dindigul East Taluk,
Dindigul.

2.The Taluk Surveyor,
Dindigul East Taluk,
Dindigul.

+1cc to Mr.V.Muthukamatchi, Advocate, SR.No.74907
+1cc to M/s.Special Government Pleader,SR.No. 75148

W.P. (MD) No.16222 of 2018
25.07.2018

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