



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16280 of 2018

A.M.Chitrarasu

... Petitioner

vs.

1.The District Collector
Pudukkottai, Pudukkottai District

2.The Tahsildar
Iluppur Taluk
Pudukkottai
Pudukkottai District

3.The Taluk Head Surveyor
Iluppur Taluk
Pudukkottai, Pudukkottai 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 and fix boundary stones in respect of survey No.394/3, to an extent of 0.19.5 situated at Keelakurichi Village, Iluppur Taluk, Pudukkottai District, on the basis of the petitioner's application dated 06.10.2017 within a stipulated time.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

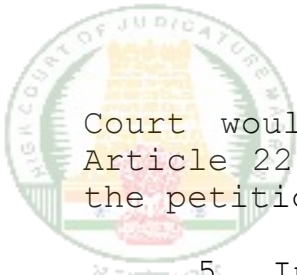
O R D E R

Mr.N.Shanmugaselvam, 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 application dated 06.10.2017 seeking to survey his land comprised in survey No.394/3, measuring an extent of 0.19.5 Ares, of Keelakurichi Village, Iluppur Taluk, Pudukkottai District and fix boundary stones, 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 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 second respondent to consider the petitioner's application dated 06.10.2017 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 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 II)

To:

- 1.The District Collector,
Pudukkottai,
Pudukkottai District.
- 2.The Tahsildar,
Iluppur Taluk, Pudukkottai,
Pudukkottai District.
- 3.The Taluk Head Surveyor,
Iluppur Taluk, Pudukkottai,
Pudukkottai District.

1CC TO MR. G. MATHAVAN, ADVOCATE SR 74961

W.P. (MD) No.16280 of 2018
25.07.2018

krk
JM/RP/SAR 2/07.08.2018/2P/5C