

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 25.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.16334 of 2018****WEB COPY**

M.Sakthivel

... Petitioner

vs.

1. Head Surveyor
Lands Survey
Taluk Office
Oddanchathiram
Dindigul District

2. The Thasildar
Oddanchathiram Taluk
Dinsigul 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 survey the land in Survey Nos.420/4B, 421/3B and 431/3B in Puthur Village, Oddanchathiram Taluk, Dindigul District, by considering the application dated 04.06.2018 and my remainder dated 07.07.2018 within a stipulated time.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

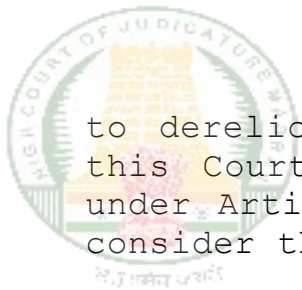
O R D E R

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 application dated 04.06.2018 seeking to measure and survey the land comprised in Survey Nos.420/4B, 421/3B and 431/3B of Puthur Village, Oddanchathiram Taluk, Dindigul District, 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 04.06.2018 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 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-II)

/True Copy/

Sub Assistant Registrar

To

1. The Head Surveyor,
Lands Survey,
Taluk Office,
Oddanchathiram,
Dindigul District.
2. The Thasildar,
Oddanchathiram Taluk,
Dinsigul District.

+1cc to Mr.S.C.Herold Singh, Advocate SR.No.74898

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.75150

Krk

MK/MMS/SAR 4/02.08.2018/2P/5C

W.P. (MD) No.16334 of 2018
25.07.2018