



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.16452 of 2018

S.Alagumurugan

... Petitioner

vs.

1. The Tahsildar
Kariyapatti taluk
Virudhunagar District.

2. The Head Surveyor
Kariyapatti 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 survey the land comprised in S.No.123/17 of Ariyanenthal Revenue Village, Kariyapatti Taluk, Virudhunagar District within a stipulated time.

For Petitioner : Mr.R.Rajamohan

For Respondents: Mr.J.Gunaseelan Muthiah

Additional Government Pleader

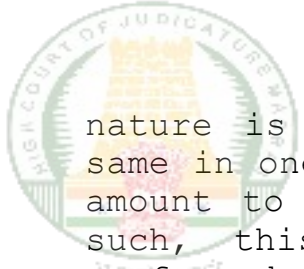
O R D E R

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 representation dated 13.07.2018 seeking to survey the land comprised in S.No.123/17 of Ariyanenthal Revenue Village, Kariyapatti Taluk, Virudhunagar District, has not been considered by the first 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 first respondent to consider the petitioner's representation dated 13.07.2018 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 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 (AS)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.
2. The Head Surveyor,
Kariyapatti Taluk,
Virudhunagar District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 75518
+ 1 CC TO Mr.R.RAJAMOHAN, ADVOCATE IN SR No. 75132

AAV
TE/RP/SAR-1 : 10/08/2018 : 2P/5C

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26.07.2018
(1/2)