

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****W.P. (MD) No.16590 of 2018**

A.Ahamed Ibrahim

... Petitioner

vs.

1. The Tahsildar,
Kadali Taluk,
Kadaladi,
Ramanathapuram District.

2. The Taluk Surveyor,
Kadaladi Taluk,
Kadaladi,
Ramanathapuram District.

3. The Sub-Inspector of Police,
Valinokkam Police Station,
Valinokkam,
Kadaladi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondent 1 to 3 to survey the land of the petitioner in S.Nos.138/1H, 138/1L, 138/IB and 138/1C1A situated at Valinokkam Village, Kadaladi Taluk, Ramanathapuram District and fix the boundary stones with adequate police protection within the stipulated time prescribed by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.V.Anand

Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, 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 12.02.2018 seeking to survey the petitioner's



land and fix the 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 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 22.02.2018 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 conducting enquiry and 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-IV)

To:

1. The Tahsildar,
Kadali Taluk,
Kadaladi,
Ramanathapuram District.
2. The Taluk Surveyor,
Kadaladi Taluk,
Kadaladi,
Ramanathapuram District.
3. The Sub-Inspector of Police,
Valinokkam Police Station,
Valinokkam,
Ramanathapuram District.



+1cc to Mr.T.Lajapathi Roy, Advocate Sr.No.75709
+1cc to Spl.Government Pleader Sr.No.75578

RMK

VB/MMS/SAR4/06.08.2018/3P/6C

W.P.(MD) No.16590 of 2018
27.07.2018