

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.16705 of 2018****WEB COPY**

Jeyamani

... Petitioner

vs.

1. The Tahsildar
Vilathikulam Taluk
Tuticorin District

2. The Taluk Surveyor
Vilathikulam Taluk
Tuticorin 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 in survey No.418/34 with an extent of 0.77sq.meter at 2nd ward, Periyar Street, Pudur, Vilathikulam Taluk, Tuticorin District on considering the petitioner's representation dated 15.06.2018

For Petitioner : Mr.R.Jegadeeswaran
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 her representation dated 15.06.2018 seeking to survey the land in survey No.418/34 with an extent of 0.77sq.meter at 2nd ward, Periyar Street, Pudur, Vilathikulam Taluk, Tuticorin District, has not been considered by the first respondent 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 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 15.06.2018 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 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
Vilathikulam Taluk
Tuticorin District

2. The Taluk Surveyor
Vilathikulam Taluk
Tuticorin District

+1cc to Mr.R.Jegadeeswaran, Advocate SR.No.75824

AAV

MK/MMS/SAR 1/13.08.2018/2P/4C

W.P.(MD) No.16705 of 2018
30.07.2018