



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16789 of 2018

M.Kalailingam

... Petitioner

-Vs-

1.The Tahsildar,
Taluk Office,
Karaikudi, Sivagangai District.

2.Taluk Head Surveyor,
Taluk Office,
Karaikudi, Sivagangai District.

3.Taluk Assistant Surveyor,
Taluk Office,
Karaikudi, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to survey and fix the boundary of the Petitioner's land in Survey no.141/8, 9, 10, 11 & 12 Kalakanmoi Village, Vettriyur Group, Karaikudi Taluk, Sivagangai District based on Petitioner's representation dated 17.07.2018 within stipulated time framed by this Court.

For Petitioner	: Mr.S.Muthukumar
For Respondents	: Mr.J.Gunaseelanmuthiah Additional Government Pleader

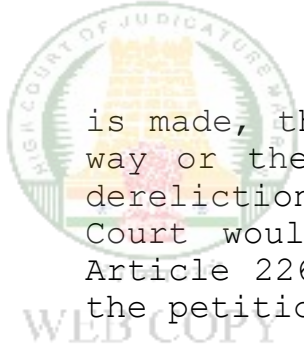
ORDER

Heard Mr.S.Muthukumar, learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader, who takes notice on behalf of 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 17.07.2018 seeking to survey and fix the boundary of the Petitioner's land in Survey no.141/8, 9, 10, 11 & 12 Kalakanmoi Village, Vettriyur Group, Karaikudi Taluk, Sivagangai 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 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 17.07.2018, 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 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-III)

To

1.The Tahsildar,
Taluk Office,
Karaikudi, Sivagangai District.

2.Taluk Head Surveyor,
Taluk Office,
Karaikudi, Sivagangai District.

3.Taluk Assistant Surveyor,
Taluk Office,
Karaikudi, Sivagangai District.

+1cc to Mr.S.Muthukumar, Advocate, SR.No. 75692
+1cc to M/s.Special Government Pleader, SR.No. 76242

W.P. (MD) No.16789 of 2018
30.07.2018

SM
KK/MMS/SAR-3/11.08.2018/2P-6C/