



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD)No.16827 of 2018

WEB COPY
Mahamayee

... Petitioner

-Vs-

1. The District Revenue Officer,
Office of the District Revenue Officer,
Madurai.
2. The Tahsildar,
Madurai West Taluk Office,
Madurai.
3. The Head Surveyor,
Madurai West Taluk Office,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to measure the property and fix the boundaries in respect of properties comprised in Survey Nos.488/22 to 488/26 of Vilachery Village, Madurai West Taluk and consequently direct the second respondent to issue patta in favour of petitioner, on the basis of representation given by the petitioner dated 18.06.2018 within the time stipulated by this Court.

For Petitioner : Mr.B.Narayan Ram
For Respondents : Mr.J.Gunaseelanmuthiah
Additional Government Pleader

ORDER

Heard Mr.B.Narayan Ram, 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 18.06.2018 seeking to measure the property and fix the boundaries in respect of properties comprised in Survey Nos.488/22 to 488/26 of Vilachery Village, Madurai West Taluk and consequently direct the second respondent to issue patta in favour of petitioner, 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 18.06.2018, 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 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 District Revenue Officer,
Office of the District Revenue Officer,
Madurai.
2. The Tahsildar,
Madurai West Taluk Office,
Madurai.
3. The Head Surveyor,
Madurai West Taluk Office,
Madurai.

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.76238

Sm

MK/RP/SAR 3/10.08.2018/2P/5C