



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 17088 of 2018

WEB COPY

K. Muthammal

... Petitioner

vs.

1. The Tahsildar,
Vedasandur Taluk,
Dindigul District.

2. The Head Surveyor,
Vedasandur Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents to sub divide by survey and fix the boundary of the land in survey no:221/3C with an extent of 25 cents situated at Marambadi Village, Vedasandur Taluk, Dindigul District and thereby issue independent patta in the name of petitioner based on petitioner's representation and application dated 10.08.2016 and also based on remainder dated 27.06.2018.

For Petitioner : Mr.A. Arul Jenifer

For Respondents : Mr.N. Shanmuga Selvam,
Additional Government Pleader

ORDER

Mr.N. Shanmuga Selvam, 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 10.08.2016. seeking to direct the respondents to sub divide by survey and fix the boundary of the land in survey no:221/3C with an extent of 25 cents situated at Marambadi Village, Vedasandur Taluk, Dindigul District and thereby issue independent patta in the name of petitioner, has not been considered by the respondent-1 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 1st respondent to consider the petitioner's representation dated 10.08.2016 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 as well as 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-I)

To:

1. The Tahsildar,
Vedasandur Taluk,
Dindigul District.
2. The Head Surveyor,
Vedasandur Taluk,
Dindigul District.

+1CC to Mr.A. Arul Jenifer, Advocate, SR.No. 76476

W.P.(MD) No.17088 of 2018
01.08.2018

KSA

ES/SKN/RSK/SAR 1/04.09.2018/2P/4C