

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 02.08.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.17266 of 2018****WEB COPY**

K.Murugasamy

... Petitioner

vs.

1. The Tahsildhar
Ottanchathiram Taluk
Dindigul District

2. The Taluk Surveyor
Taluk Office
Ottanchathiram Taluk
Dindigul District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to conduct the survey and sub divide the petitioner's land and to issue separate patta in favour of the petitioner's name in respect of the punja land comprised in Survey Nos.113/1,117/2A,117/2B,114/1 situated at Kothaiyam Village, Ottanchathiram Taluk, Dindigul District on the basis of the petitioner's representation dated 28.01.2016.

For Petitioner : Mr.S.Karthik

For Respondents: Mr.S.Nagarajan

Special Government Pleader

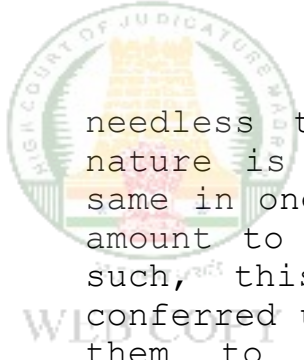
O R D E R

Mr.S.Nagarajan, learned Special 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 his representation dated 28.01.2016 seeking to to conduct the survey and sub divide the petitioner's land and to issue separate patta in favour of the petitioner's name in respect of the punja land comprised in Survey Nos.113/1,117/2A,117/2B,114/1 situated at Kothaiyam Village, Ottanchathiram Taluk, Dindigul District, has not been considered by the first respondent 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 28.01.2016 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 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(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1. The Tahsildhar
Ottanchathiram Taluk
Dindigul District.
2. The Taluk Surveyor
Taluk Office
Ottanchathiram Taluk
Dindigul District.

+1cc to Mr.S.Karthik, Advocate Sr.No.76966

AAV

VB/RP/SAR1/30.08.2018/2P/4C

W.P. (MD) No.17266 of 2018
02.08.2018