



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17321 of 2018

WEB COPY

T.Divya Bharathi

... Petitioner

vs.

1.The District Collector
Ramanathapuram
Ramanathapuram District

2.The District Revenue Officer
Ramanathapuram
Ramanathapuram District

3.The Thasildhar
Mudukulathur Taluk
Ramanathapuram District

4.The Surveyor
Mudukulathur Taluk
Ramanathapuram District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to consider the petitioner representation dated 26.06.2018 and 13.07.2018 in respect of petition No.2018/9005/27/472450/0626 and to take necessary steps to issue identify, measure and mark the boundaries of the petitioner property in old S.Nos.317/1A new S.Nos.317/22 which situated in Selliamman Kovil Street, Mudukulathur Taluk, Ramanathapuram District.

For Petitioner : Mr.G.V.Vairam Santhosh

For Respondents : Mr.V.Anand

Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, 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 representations dated 26.06.2018 and 13.07.2018 seeking to identify, measure and mark the boundaries of her property comprised in Old Survey Nos.317/1A, New Survey No.317/22, situated in Selliamman Kovil Street, Mudukulathur Taluk, Ramanathapuram District, have not

been considered by the respondents 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 representations 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 representations within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representations dated 26.06.2018 and 13.07.2018 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 as well as to the 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(W)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

- 1.The District Collector, Ramanathapuram,
Ramanathapuram District.
- 2.The District Revenue Officer, Ramanathapuram,
Ramanathapuram District.
- 3.The Thasildhar, Mudukulathur Taluk,
Ramanathapuram District.
- 4.The Surveyor, Mudukulathur Taluk,
Ramanathapuram District.

+1CC to Mr.G.V.Vairam Santhosh, Advocate, SR.No. 77201

+1CC to the Special Government Pleader SR.No. 77308

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