



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17396 of 2018

WEB COPY

Periyasamy

... Petitioner

vs.

1.The Tahsildar,
Krishnarayapuram Taluk Office,
Krishnarayapuram, Karur District.

2.The Surveyor,
Krishnarayapuram Taluk Office,
Krishnarayapuram, Karur District.

3.The Inspector of Police,
Mayanoor Police Station,
Mayanoor, Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents No.1 and 2 to survey the property and fix the four boundaries in Survey No.52/3E3 for an extent of 2.20 Acres and Survey No.52/3E1 for an extent of 57 ½ cents situated at Balarajapuram Village, Aandipalayam Post, Krishnarayapuram Taluk, Karur District on the basis of the petitioner's representation dated 20.07.2018 with the aid of the third respondent within time framed fixed by this Court.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.

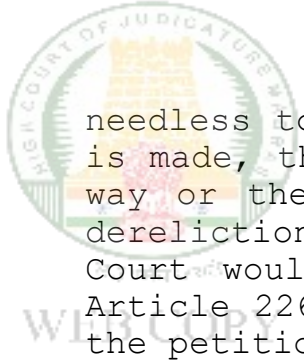
ORDER

Mr.J.Gunaseelan Muthiah, 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 his representation dated 20.07.2018, seeking to survey the property and fix the four boundaries in Survey No.52/3E3 for an extent of 2.20 Acres and Survey No.52/3E1 for an extent of 57 ½ cents situated at Balarajapuram Village, Aandipalayam Post, Krishnarayapuram Taluk, Karur 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 20.07.2018 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 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(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

- 1.The Tahsildar,
Krishnarayapuram Taluk Office,
Krishnarayapuram, Karur District.
- 2.The Surveyor,
Krishnarayapuram Taluk Office,
Krishnarayapuram, Karur District.
- 3.The Inspector of Police,
Mayanoor Police Station,
Mayanoor, Karur District.

+1CC to Mr.K.Arunraj, Advocate, SR.No. 77172
+1CC to the Special Government Pleader SR.No.79479

W.P.(MD) No.17396 of 2018
03.08.2018

CP