



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.11.2019
CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD).No. 23343 of 2019

WEB COPY

R.Kandasamy

... Petitioner

Vs.

1. The Assistant Director of Survey
Collectorate Complex
Dindigul District, Dindigul

2. The Tahsildhar
Ottanchathiram
Dindigul District

3. The Inspector of Police
Iadyakottai Police Station
Dindigul District

4. Dhanadapani

... Respondents

Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the third respondent to consider the representation of the petitioner dated 29.09.2019 and pass orders.

For Petitioner : Mr.R.Vijayakumar

For Respondents : Mr.R.Anandharaj

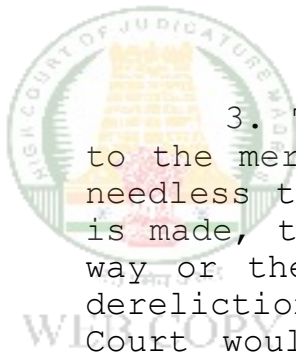
No.1 to 3

Additional Public Prosecutor

ORDER

This Petition has been filed to direct the third respondent to consider the representation of the petitioner dated 29.09.2019.

2. It is the grievance of the petitioner that the second respondent with the help of surveyor conducted survey on 31.08.2019 and 01.09.2019 as per the direction of this Court and identified the boundaries and the second respondent has also issued a proceedings dated 26.09.2019. However the said survey was perceived by the fourth respondent to be not in his favour and he has not co-operated with the installation of the boundaries stone and he is creating hindrance. In this regard, the petitioner has submitted the representation dated 29.09.2019 , which has not been considered by the third respondent till date and therefore, he has filed the present writ petition.



3. 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.

4. In view of the limited prayer sought for in this writ petition and without going into the merits of the case, there shall be a direction to the third respondent to consider the petitioner's representation dated 29.09.2019 and pass orders on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Assistant Director of Survey
Collectorate Complex
Dindigul District
Dindigul
2. The Tahsildhar
Ottanchathiram
Dindigul District
3. The Inspector of Police
Iadyakottai Police Station
Dindigul District

+1 CC to Mr.R.VIJAYAKUMAR, Advocate (SR-96383[F] dated 06/11/2019)

W.P (MD).No.23343 of 2019
06.11.2019

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MK (15.11.2019) 2P 5C