



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14056 of 2022

P.Dhanapal

... Petitioner

Vs.

1. The Tahsildar,
Taluk Office, Vandavasi Taluk,
Tiruvannamalai District-604 408.

2. S.Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to survey the petitioner's house plot properties situated at Tiruvannamalai District, Cheyyar Revenue District, Thellar Sub Registrar, Vandavasi Taluk, Pazhaveri Village Survey No.35/H/10, as per partition deed 'D' scheduled properties, vide register document No.1032/2002, which is total extent of 0.39.5.0.80 cents, within the stipulated period.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents: Mr.E.Vijay Anand
Additional Government Pleader for R1

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had paid the fee to the first respondent, to survey his house plot properties through online mode on 06.04.2022. Since the said survey was not considered after due receipt of the payment for the same, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this



Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's payment through online mode dated 06.04.2022 for conducting survey on its own merits and pass appropriate orders by conducting enquiry after giving due opportunity to the petitioner as well as the 2nd respondent herein in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jeni / kas

To

The Tahsildar,
Taluk Office, Vandavasi Taluk,
Tiruvannamalai District-604 408.

+1cc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.32196

W.P.No.14056 of 2022

PMK(CO)
CT/17/06/2022