



WP.(MD).No.3563 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3563 of 2024

N.Murugeshwari

... Petitioner

Vs.

1.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Ramanathapuram Taluk,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to survey the land in Survey No.260/2A1A situated at Sriram Nagar, Soorakottai, Ramanathapuram based on the representation dated 19.12.2023.

For Petitioner	: Mr.P.Ranjith Kumar
For Respondents	: Mr.P.Thambidurai Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for



WP.(MD).No.3563 of 2024

final disposal at the stage of admission itself.

WEB COPY

2.This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondents to survey the land in Survey No.260/2A1A situated at Sriram Nagar, Soorakottai, Ramanathapuram based on the representation dated 19.12.2023.

3.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner is the owner in title and possession over 3 cents comprised in Survey No.260/2A1A situated at Sriram Nagar, Soorakottai, Ramanathapuram. Originally the suit property was purchased by her husband in the year 1996 by a sale deed in Doc.No.638/1996 dated 01.07.1996. The petitioner gave a representation to the first respondent on 13.03.2020 to survey the land for the purpose of issuance of patta in the name of the petitioner's husband. However, the same was not acted upon. After the death of the petitioner's husband on 19.12.2023, the petitioner approached the fifth respondent with necessary documents for surveying the land lying in Survey No.26/2A1A, which is situated in Sriram Nagar, Soorakottai, Ramanathapuram. However, the



WP.(MD).No.3563 of 2024

petitioner's request was not heeded to. Hence, the petitioner made a representation to the respondents on 19.12.2023 for the said purpose. However, the same was not considered. Hence, this Writ Petition came to be filed.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and carefully perused the entire materials available on record.

5. 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 respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. In view of the same, this Court hereby direct the second respondent to conduct survey in Survey No.260/2A1A considering



WP.(MD).No.3563 of 2024

the petitioner's representation dated 19.12.2023, after giving notice to all the State Holders within a period of eight weeks from the date of receipt of copy of this order.

7.In view of the above, this Writ Petition stands disposed of.
There shall be no order as to costs.

16.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



WEB COPY



WP.(MD).No.3563 of 2024

To

- 1.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.
- 2.The Head Surveyor,
Ramanathapuram Taluk,
Ramanathapuram District.



WEB COPY



WP.(MD).No.3563 of 2024

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.3563 of 2024

16.02.2024