



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2016

CORAM :

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P(MD)No.15527 of 2016

T.John Peter

... Petitioner

vs.

1)Revenue Divisional Office,
Padmanabhapuram,
Thuckalay,
Kanyakumari District.

2)Tahsildar,
Kalkulam Taluk,
Padmanabhapuram,
Thuckalay & Post,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue Patta in the name of the settlement holders or their legal heirs based on the Document No.319/1959 dated 04.02.1959 of Sub Registrar Office, Rajakamangalam, Kanyakumari District for resurvey No.151/5 and 151/13 of Mandakadu Village, Kalkulam Taluk, Kanyakumari District.

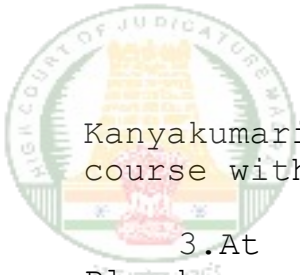
For Petitioner : Mr.A.Rajkumar Sen

For Respondents : Mr.S.Kumar, Additional Government Pleader

ORDER

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal. No Counter Affidavit is filed on behalf of the Respondents 1 and 2.

2.According to the Learned Counsel for the Petitioner, the Petitioner will be immensely satisfied if his Representation dated 21.06.2016, addressed to the 1st Respondent/Revenue Divisional Office, Padmanabhapuram, Kanyakumari District, 2nd Respondent/Tahsildar, Kalkulam Taluk, Padmanabhapuram, Kanyakumari District and the Village Administrative Officer, Mondaikadu,



Kanyakumari District, are ordered to be considered on merits, of course within a time frame to be determined by this Court.

3. At this stage, Mr.S.Kumar, Learned Additional Government Pleader appearing for the Respondents submits that the Petitioner's Representation dated 21.06.2016 addressed to the Respondents 1 and 2 and Village Administrative Officer, Mondaikadu, Kanyakumari District, will be considered by the authorities concerned in the manner known to law and in accordance with law, subject to any time limit prescribed by this Court.

4. Considering the limited relief sought for by the Petitioner namely, to consider his Representation dated 21.06.2016, by the Respondents 1 and 2, at this stage, this Court without traversing upon the merits and demerits of the Petitioner's Representation dated 21.06.2016, and also not expressing any opinion in one way or other either on the merits or the demerits of the Petitioner's Representation so made, simpliciter directs the Respondents to seriously/earnestly to look into the Representation of the Petitioner with fair, open mind and also in a dispassionate manner and to pass reasoned speaking order within a period of four weeks from the date of receipt of copy of this order (of course after providing necessary opportunity to the Petitioner and others concerned by following the Principles of Natural Justice). The Petitioner is directed to lend his helping hand and assistance to the Respondents 1 and 2, so as to enable the latter to do the needful in the subject matter in issue. It is also abundantly made clear that if the Respondents 1 and 2 are in requirement of any Document or Copy of Record from the Petitioner, then, the Respondents 1 and 2 may issue Memo/Notice to the Petitioner, who shall comply with the request made by the Respondents 1 and 2 and in any event, the Respondents are directed to pass orders in the subject matter in issue within the time aforesaid by this Court.

5. With the aforesaid Observation(s) and Direction(s), the Writ Petition stands disposed of. No costs.

Sd/
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1) Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay,
Kanyakumari District.



2) Tahsildar,
Kalkulam Taluk,
Padmanabhapuram,
Thuckalay & Post,
Kanyakumari District.

+1 cc to MR.A.RAJKUMAR, Advocate SR.No.46265

+1 cc to Special Government Pleader Sr.No.46533

W.P (MD) No.15527 of 2016
22.08.2016

SMA/GSV-PM/07/09/2016 :3P/5C