



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.07.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.15958 of 2018

WEB COPY

K.Kaliraj

: Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli District, Tirunelveli.

3.The Tahsildar,
Thiruvenkatam Taluk Office,
Thiruvenkatam, Tirunelveli District.

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd and 3rd respondents to issue joint patta in favour of the petitioner with his above own brother, namely, K.Saravanakumar S/o Kothandaraman as per registered sale deed has executed in between M.Venkatachalam and the petitioner with his above own brother before the Kalugumalai Sub-Registrar Office at the Natham Survey Number of old Survey No.1390A, New Survey No.1442/24 in vide Registration No.464/16, dated 10.03.2016.

For Petitioner : Mr.C.Baskaran

For Respondents : Mr.J.Gunaseelanmuthiah
Additional Government Pleader

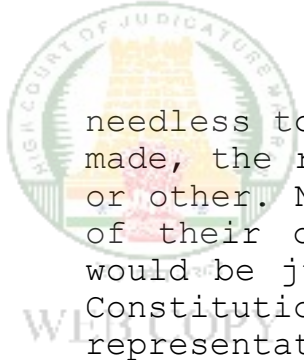
ORDER

Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader takes notice on behalf of 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 15.12.2017, seeking for issuance of joint patta, has not been considered by the second and third respondents till date and therefore, 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 representation of this nature is made, the respondents are duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct him 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 third respondent to consider the petitioner's representation dated 15.12.2017, on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be made, after conducting enquiry and giving due opportunity to the petitioner as well as to any other persons, who may be interested in the subject matter.

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

Sd/
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar (CS-IV)

To

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli District, Tirunelveli.

3. The Tahsildar,
Thiruvenkatam Taluk Office,
Thiruvenkatam, Tirunelveli District.

+1cc to Mr.C.Baskaran, Advocate, SR.No. 74325

+1cc to M/s.Special Government Pleader, SR.No.74703

W.P. (MD) No.15958 of 2018
23.07.2018

SJI

KK/MMS/SAR-4/02.08.2018/2P-6C/