



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM:

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) Nos.7433, 7703 & 7449 of 2018

Muthumani ... Petitioner in WP(MD) No.7433 of 2018
Eswari ... Petitioner in WP(MD) No.7703 of 2018
Meenakshi ... Petitioner in WP(MD) No.7449 of 2018

vs.

- 1) The District Collector,
Collectorate Building,
Theni District.
- 2) The Thasildar,
Uthamapalayam Taluk,
Uthamapalayam, Theni District.
- 3) The Commissioner Cum Block
Development Officer,
Office of the Panchayat Union,
Uthamapalayam Taluk,
Theni.
- 4) Mariappan ... Respondents in all the three Writ Petitions

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the 2nd and 3rd respondents to issue Patta and divvy up the house tax for the house property of the petitioner situated in Survey No.41/1 in Kokilapuram, Uthamapalayam Taluk, Theni District on the basis of the petitioner's representations dated 10.03.2018 and 12.03.2018 respectively.

For Petitioners : Mr.V.Muthusamundeeswaran
in all the 3 Writ Petitions

For RR 1 to 3 : Mr.N.Shanmuga Selvam
Additional Government Pleader
in all the 3 Writ Petitions

**COMMON ORDER**

As the issue involved in all the three Writ Petitions are one and the same, the cases are taken up for disposal by a Common Order.

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2. Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for respondents 1, 2 and 3.

3. By consent of both the petitioners as well as the respondents, these writ petitions are taken up for final disposal at the stage of admission itself.

4. It is the grievance of the petitioners that their representations dated 10.03.2018 and 12.03.2018 seeking to forbear the 2nd and 3rd respondents to issue Patta and divvy up the house tax for the house property of the petitioner situated in Survey No.41/1 in Kokilapuram, Uthamapalayam Taluk, Theni District, have not been considered by the 2nd and 3rd respondents till date and therefore, they have filed the present writ petitions.

4. This Court has not expressed any of its view with regard to the merits of the representations made by the petitioners. It is needless to point out that whenever representations 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 petitioners' representation within a stipulated time.

5. In view of the limited prayer sought for in these writ petitions, there shall be a direction to the 2nd and 3rd respondents to consider the petitioners' representation dated 12.03.2018 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 done after giving due opportunity to the petitioners as well as to the fourth respondent.

6. With the above direction, these Writ Petitions are disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/



To:

1) The District Collector,
Collectorate Building, Theni District.

2) The Thasildar,
Uthamapalayam Taluk,
Uthamapalayam, Theni District.

3) The Commissioner Cum Block
Development Officer,
Office of the Panchayat Union,
Uthamapalayam Taluk, Theni.

+3CC TO Mr.V.Muthusamundeeswaran, Advocate, Sr Nos.63256,63257,
63258

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.63086

Common Order in
W.P. (MD) Nos.7433, 7703 &
7449 of 2018
23.04.2018

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MS/CM-PN/SAR.1/15.05.2018/3P.8C