

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED :23.07.2018****CORAM****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD)No.15959 of 2018****WEB COPY**

S.Palaniappan

: Petitioner

Vs.

1. The District Collector,
Theni District, Theni.

2. The Revenue Divisional Officer,
Periyakulam, Theni District.

3. The Tahsildar,
Andipatti Taluk, Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to issue separate patta to the petitioner's share of the property in Survey No.209/1 at Kovilpatti Village, Andipatti Taluk, Theni District thereby considering the representation of the petitioner dated 28.03.2018 in person before the second respondent.

For Petitioner : Mr.V.Sankaranarayanan

For Respondents : Mr.J.Gunaseelanmuthiah
Additional Government Pleader

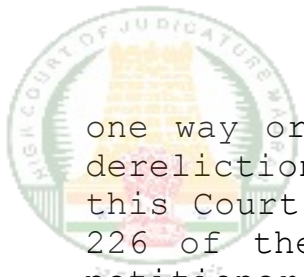
ORDER

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 28.03.2018, seeking for issuance of separate patta has not been considered by the second respondent 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.

WEB COPY

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 28.03.2018, 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 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(crl side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Collector,
Theni District, Theni.
2. The Revenue Divisional Officer,
Periyakulam, Theni District.
3. The Tahsildar,
Andipatti Taluk, Theni District.

+1cc to Spl.Government Pleader Sr.No.74701

SJI

VB/KAK/SAR2/02.08.2018/2P/5C

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23.07.2018