



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.08.2018

CORAM:
THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.6296 of 2018

M.Thangapandi ... Petitioner
vs.
1.The District Collector,
Tirunelveli District, Tirunelveli.
2.The Sub Collector,
Cheranmahadevi Division,
Cheranmahadevi, Tirunelveli District.
3.The Tahsildar,
Nanguneri Taluk, Tirunelveli District.
4.Selvaraj Nadar
5.S.Sathishkumar
6.S.Muthukumar ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to cancel the Patta No.47 and restore the Patta No.715 in favour of the petitioner in the light of the petitioner's representation dated 15.02.2018.

For Petitioner : Mr.M.Jegadeesha Pandian
For R-1 to R-3 : Mr.J.Gunaseelanmuthiah
Additional Government Pleader
For R-4 to R-6 : Mr.S.Sankara Subramanian

O R D E R

Heard Mr.M.Jegadeesha Pandian, learned counsel appearing for the petitioner, Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.S.Sankara Subramanian, learned counsel appearing for the respondents 4 to 6.

2.It is the grievance of the petitioner that his representation dated 15.02.2018, seeking to cancel the Patta No.47 and restore the Patta No.715 in favour of the petitioner, has not been considered by



the respondents 1 to 3 till date and therefore, he has filed the present writ petition.

3. 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 a representation 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 petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the 2nd respondent to consider of the petitioner's representation dated 15.02.2018, on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting an enquiry and giving due opportunity to the petitioner as well as to the 4th to 6th respondents any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (CRL SIDE)

/True Copy/

Sub Assistant Registrar (CS II)

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To:

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The Sub Collector,
Cheranmahadevi Division,
Cheranmahadevi, Tirunelveli District.

3. The Tahsildar,
Nanguneri Taluk, Tirunelveli District.

1CC TO MR. V.M. JAGADEESHA PANDIAN, ADVOCATE SR 77403
1CC TO MR S. SANKARASUBRAMANIAN, ADVOCATE SR 77202
1CC TO THE SPL GOVT PLEADER SR 77468

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