



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.788 of 2018

K.Veerarani

... Petitioner

vs.

1. The Commissioner,
Tirunelveli Corporation,
Tirunelveli.
2. The Assistant Commissioner,
Melappalayam Zone,
Tirunelveli Corporation,
Tirunelveli.
3. The Town Surveyor,
Melappalayam Zone,
Tirunelveli Corporation,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 24.04.2017 numbered as C5/2955/2017 dated 25.04.2017 on the file of the respondents within a period fixed by this Court which is relating to grant patta in the petitioner's name for the property in Ayan Nanja lands in Survey No.106/1A1A admeasuring 1A 60 cents, Survey No.108/3B3 now as per Town Survey Ward BU, Block 5, T.S.No.31 and 48 admeasuring 1A 15.3 cents, Survey No.108/3B1 admeasuring 4.7 cents situated at Rajagopalapuram Village, Palayamkottai Taluk, Tirunelveli District.

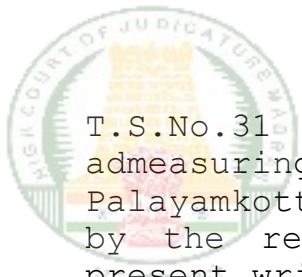
For Petitioner : Mr.T.Selvan

For R-1 to R-3 : Mr.Aaiyiram K.Selvakumar

O R D E R

Heard Mr.T.Selvan, learned counsel appearing for the petitioner and Mr.Aaiyiram K.Selvakumar, learned counsel appearing for the respondents 1 to 3.

2.It is the grievance of the petitioner that her representation dated 24.04.2017 numbered as C5/2955/2017 dated 25.04.2017, seeking for grant patta in the petitioner's name for the property in Ayan Nanja lands in Survey No.106/1A1A admeasuring 1A 60 cents, Survey No.108/3B3 now as per Town Survey Ward BU, Block 5,



T.S.No.31 and 48 admeasuring 1A 15.3 cents, Survey No.108/3B1 admeasuring 4.7 cents situated at Rajagopalapuram Village, Palayamkottai Taluk, Tirunelveli District, has not been considered by the respondents till date and therefore, she has filed the present writ petition.

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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 the petitioner's representation dated 24.04.2017 on its own merits and take further action in accordance with law, as expeditiously as possible. Such an exercise shall be done after conducting an enquiry and giving due opportunity to the petitioner and 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-IV)

To:

1. The Commissioner,
Tirunelveli Corporation,
Tirunelveli.
2. The Assistant Commissioner,
Melappalayam Zone,
Tirunelveli Corporation,
Tirunelveli.
3. The Town Surveyor,
Melappalayam Zone,
Tirunelveli Corporation,
Tirunelveli.

SJI

TE/RSK/SAR-4 : 27/09/2018 : 2P/4C