

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.06.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.981 of 2018**

P.Venkadasamy

... Petitioner

vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar,
Virudhunagar District.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
4. The Tahsildar,
Aruppukottai,
Virudhunagar District.

5.S.Muthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 4th respondent herein to implement the order passed by the 2nd respondent herein vide in Ne.Mu.Aa.2/298/2016 dated 14.06.2017 by surveying and issue patta in Survey No.49/2A5 measuring to extend 5 ½ cents.

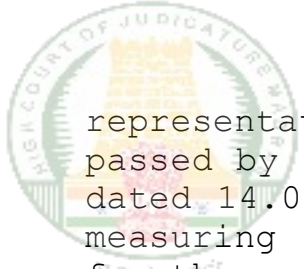
For Petitioner : Mr.K.P.S.Palanivel Rajan
For R-1 to R-4 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 to 4. Notice to the fifth respondent is dispensed with in view of nature of the order to be passed by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>

2. It is the grievance of the petitioner that his



representation dated 07.09.2017, seeking to implement the order passed by the second respondent herein vide in Ne.Mu.Aa.2/298/2016 dated 14.06.2017 by surveying and issue patta in Survey No.49/2A5 measuring to extent 5 ½ cents, has not been considered by the fourth respondent 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 fourth respondent to consider the petitioner's representation dated 07.09.2017, in the light of the orders of the second respondent dated 14.06.2017, 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 done after giving due opportunity to the petitioner as well as to the fifth respondent 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/-

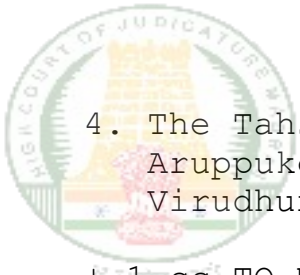
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar,
Virudhunagar District.
3. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.



4. The Tahsildar,
Aruppukottai,
Virudhunagar District.

+1 cc TO Mr.K.P.S.Palanivel Rajan , Advocate in SR No. 67702

+1 cc TO The Special Government Pleader in SR No. 67791

das/cp

AE/SV MMS/SAR2/20.06.2018/3P/7C

W.P. (MD) No.981 of 2018
11.06.2018