



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.8042 of 2018

T.Padalingam

... Petitioner

Vs.

1.The District Collector,
Tuticorin District,
District Collector Office,
Tuticorin.

2.The Revenue Divisional Officer,
Kovilpatti Sub Division,
Tuticorin District.

3.The Tahsildar,
Kayathar Taluk,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to pass appropriate orders on representation of the petitioner dated 23.09.2017 within a stipulated time fixed by this Court and in accordance with law.

For Petitioner : Mr.T.Poovanalingam
For Respondents : Mr.S.Nagarajan,
Special Government Pleader.

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.It is the grievance of the petitioner that his representation dated 23.09.2017 seeking for cancellation of patta issued in the name of Saivavelalar Sangam has not been considered by the respondents till date and therefore, 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 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 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 second respondent to consider the petitioner's representation dated 23.09.2017 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 made, after giving notice to the petitioner as well as Veyilumuthu, Isakkiyappan, Arunachalam Thangamuthu, Angappan and Vijayan of Kayathar Village and any other persons, who may be interested in the subject property.

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

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District,
District Collector Office,
Tuticorin.

2. The Revenue Divisional Officer,
Kovilpatti Sub Division,
Tuticorin District.

3. The Tahsildar,
Kayathar Taluk,
Tuticorin District.

+1CC TO M/S.M.PRABU, ADVOCATE, SR NO.61161

W.P. (MD) No. 8042 of 2018
13.04.2018

Myr

MS/SV-MMS/SAR-3/19.04.2018/2P.5C