

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 13.04.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.8029 of 2018****and****W.M.P. (MD) No.7627 of 2018**

WEB COPY

Palaniappan

... Petitioner

Vs.

1. The Tahsildar,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.

2. The Head Surveyor,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.

3. Kuppayee

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to sub-divide and grant the separate patta to the petitioner with regard to land in Survey Nos.313/2 and 314/1 situated at Karungal Village, Vedasandur Taluk, Dindigul District based on the petitioner's representation dated 17.02.2018.

For Petitioner : Mr.G.Gomathi Sankar
For R1 and R2 : 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 17.02.2018 seeking issuance of separate patta in his favour has not been considered by the first respondent 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 first respondent to consider the petitioner's representation dated 17.02.2018 on its own merits and take further action in accordance with law, within a period of six 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 the third respondent herein 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.
2. The Head Surveyor,
Vedasandur Taluk Office,
Vedasandur, Dindigul District.

+1cc to Mr.G.Gomathi Sankar, Advocate Sr.No.61464

MYR

VB/SKN/RSK/SAR1/25/04/2018/2P/4C

W.P. (MD) No. 8029 of 2018

13.04.2018