



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.8078 of 2018

A.Nanil Deva

... Petitioner

vs.

1. The District Collector,
Theni District.

2. The Assistant Director,
Mines & Minerals,
Collectorate, Theni District.

3. The Tahsildar,
Antipatti Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent to issue permit to the petitioner to remove "Sand Clayey with Mud" (Kathadi Man) from Patta land in Survey No.388/1, Mayiladumparai Village, within a stipulated time.

For Petitioner : Mr.V.Muthuvelan

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

It is the grievance of the petitioner that his representation dated 16.02.2018 seeking permission to remove "Sand Clayey with Mud" from the Patta land, comprised in Survey No.388/1, Mayiladumparai Village, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

2. 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.

3. 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 16.02.2018 in the light of the third respondent's report dated 05.03.2018 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 done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Theni District.
2. The Assistant Director,
Mines & Minerals,
Collectorate, Theni District.
3. The Tahsildar,
Antipatti Taluk,
Theni District.

+ 1 cc TO Mr.S.Manickam , Advocate in SR No. 66700

krk
AE/JC/SAR4/12.06.2018/2P/5C

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