



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.8103 of 2018

J.Immanuel

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office, Madurai.

2.The Tahsildar,
Madurai North Taluk Office,
Madurai.

3.The Taluk Surveyor,
Madurai North Taluk,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents for taking appropriate action to make sub division and to issue patta in the name of the petitioner comprising the plot Nos.12 and 12/1 house site property in R.S.No.48/4 at Kovilpapakudi Village, Madurai North Taluk, Madurai District on the basis of registered sale deed dated 25.04.2008 and to consider the petitioner's representation dated 26.02.2018 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.K.Abiya

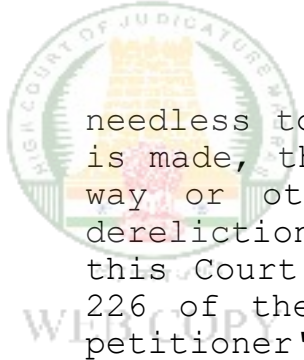
For Respondents : Mr.V.Anand
Government Advocate.

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 26.02.2018 seeking issuance of patta in his favour 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 26.02.2018 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 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 (CSII)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Revenue Divisional Office, Madurai.

2. The Tahsildar,
Madurai North Taluk Office,
Madurai.

3. The Taluk Surveyor,
Madurai North Taluk,
Madurai.

+1cc to M/s.K.Abiya, Advocate, SR.No.61212

Myr
RL/5C/2P/KK/SAR1/27/4/2018

W.P. (MD) No.8103 of 2018

13.04.2018