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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.04.2018
CORAM:
THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD) No.8388 of 2018

T.R.Chidambaram Chettiar ... Petitioner

vs.

1. The District Collector,
   Sivagangai District,
   Sivaganagai.

2. The Tahsildhar,
   Thirupathoor Taluka,
   Sivaganagai 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 issue patta in petitioner's name for the property in survey No.212/19 an extent of 45 cents in the village account of Thekoor Village, Aathikaadu, Singampunari Registration Circle, Thirupathoor Taluka, Sivagangai District by considering the petitioner's representation dated 21.11.2017.

For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.S.Nagarajan
Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that his representation dated 21.11.2017 to issue patta in petitioner's name for the property in survey No.212/19 an extent of 45 cents in the village account of Thekoor Village, Aathikaadu, Singampunari Registration Circle, Thirupathoor Taluka, Sivagangai District, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.

4. 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

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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.

5. 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 21.11.2017 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 done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject property.

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

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
   Sivagangai District,
   Sivaganagai.

2. The Tahsildhar,
   Thirupathoor Taluka,
   Sivaganagai District.

+1cc to Mr.A.Haja Mohideen, Advocate Sr.No.61992

AAV

VB/SV/MMS/SAR2/15/05/2018/2P/4C

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