

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 24.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.9112 of 2018**

N.Elangovan

... Petitioner

vs.

1. The District Collector,
District Collector Office,
Sivagangi, Sivagangai District.

2. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sivagangi, Sivagangai District.

3. The Tahsildar,
Manamadurai Taluk Office,
Manamadurai, Sivagangai District.

4. Malavarayanenthall Village Panchayath,
represented by the Special Officer cum
Block Development Officer,
O/o. Block Development Office,
Thirupuvanam Union,
Sivagangai 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 extend the period of cutting order dated 23.08.2017 on the file of the second respondent for a period of six months by considering the petitioner's representation dated 20.12.2017.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.S.Nagarajan,
1 to 3 Special Government Pleader**O R D E R**

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of nature of the order to be passed by this Court.



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 20.12.2017 seeking to extend the period of cutting order for a period of six months, 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 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 20.12.2017 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 any other persons interested in the subject matter.

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

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
District Collector Office,
Sivagangi, Sivagangai District.
2. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sivagangi, Sivagangai District.



3.The Tahsildar,
Manamadurai Taluk Office,
Manamadurai, Sivagangai District.

+1cc TO Mr.G.Prabhu Rajadurai , Advocate in SR No. 63335

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AE/SV MMS/SAR3/15.05.2018/3P/5C

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24.04.2018