



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.8753 of 2018

R.Prabhakaran

... Petitioner

vs.

1. The District Collector,
Dindigul, Dindigul District.

2. The Revenue Divisional Officer,
Kodaikanal, Dindigul District.

3. The Tahsildhar,
Kodaikanal Taluk,
Kodaikanal, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance a Writ of Mandamus, directing the third respondent herein to dispose of the petitioner's representation dated 12.08.2017 after giving adequate opportunity to all the parties concerned and in accordance with law in respect of petitioner's property comprised in S.No.225/5B covered in Patta No. 612 situated at Vadakavunji Village, Kodaikanal Taluk, Dindigul District.

For Petitioner :Mr.P.Mahendran

For Respondents :Mr.J.Gunaseelan Muthiah
Additional Government Pleader**O R D E R**

Mr.J.Gunaseelan Muthiah, learned Additional 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 12.08.2017 seeking to cancel the patta, has not been considered by the respondents 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 third respondent to dispose of the petitioner's representation dated 12.08.2017 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 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 (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Dindigul, Dindigul District.
2. The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.
3. The Tahsildhar,
Kodaikanal Taluk,
Kodaikanal,
Dindigul District.

AAV

DS/RSK-SKN/SAR-4 :28.05.2018: 2P/4C

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