



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.8870 of 2018

K.Saravanan

... Petitioner

vs.

1.The Tahsildar,
Madurai West Taluk,
Madurai District.

2.D.Arumugam
3.Pitchaiammal
4.Dhanalakshmi
5.Gunasekaran
6.Bhagyalakshmi
7.A.Kousalya
8.Balamurugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to dispose of the proceedings in T.R.No.5219 of 2015 within a stipulated time.

For Petitioner : Mr.M.Kannan
For Respondent No.1 : Mr.S.Nagarajan
Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the first respondent. Notice to the respondents 2 to 8 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 petition dated 29.07.2015 in T.R.No.5219 of 2015 filed by the respondents 2 to 8 has not been considered by the first 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 petition made by the respondents 2 to 8. It is needless to point out that whenever a petition 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 petition filed by the respondents 2 to 8 within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petition dated 29.07.2015 filed by the respondents 2 to 8 on its own merits and take further action in accordance with law, within a period of twelve 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 respondents 2 to 8 and any other persons who may be interested in the subject matter.

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

Sd/
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To:
The Tahsildar,
Madurai West Taluk,
Madurai District.

+1cc to Mr.M.KANNAN, Advocate, SR.No.63379

W.P.(MD) No.8870 of 2018
23.04.2018

RMI/KRK
KK/RSK/15.05.2018/SAR-1/2P-3C