



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No. 8630 of 2018

WEB COPY

A. Paulraj

... Petitioner

vs.

1. The District Collector
Tirunelveli

2. The Revenue Divisional Officer
Cheranmahadevi Taluk
Tirunelveli

3. The Tahsildar
Cheranmahadevi
Tirunelveli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant 2C Patta to grow and enjoy the usufructs from the trees in Survey Nos. 150, 153/1, 153/3 and 154, Cherankovil Pattu Village, Cheranmahadevi Taluk, Tirunelveli to the petitioner considering the petitioner's representation, dated 10.11.2017.

For Petitioner : Mr. R. Maheswaran

For Respondents : Mr. N. Shanmugaselvam

Additional Government Pleader

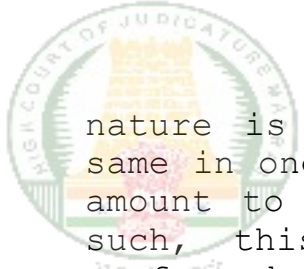
O R D E R

Mr. N. Shanmugaselvam, 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 10.11.2017 seeking to grant 2C Patta to him so as to enable him to grow and enjoy the usufructs from the trees grown in the land comprised in Survey Nos. 150, 153/1, 153/3 and 154 of Cherankovil Pattu Village, Cheranmahadevi Taluk, Tirunelveli, 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 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 consider the petitioner's representation dated 10.11.2017 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 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,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi Taluk,
Tirunelveli.

3.The Tahsildar,
Cheranmahadevi,
Tirunelveli.

+1cc to Mr.G.PRABHU RAJADURAI, Advocate, SR.No. 62441

W.P.(MD) No.8630 of 2018
19.04.2018

KRK

KK/SV MMS/11.05.2018/SAR-4/2P-5C