



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.8717 of 2018

A.Kingsly

... Petitioner

vs.

1. The Revenue Divisional Officer,
Padmanapuram,
Kanyakumari District.

2. The Tahsildhar,
Vilavancode Taluk
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to accept the land tax with regard to the property comprised in Kaliyal Village, Vilavancode Taluk, Kanyakumari District having old Survey No.2996/3, re-survey No.784 and the present survey No. 202 named as Kaliyal Village of Kanyakumari District by considering the petitioner's representation dated 09.01.2018 within the time frame fixed by this Hon'ble Court.

For Petitioner : Ms.S.C.Herold Singh

For Respondents : Mr.S.Nagarajan

Special Government Pleader.

O R D E R

Mr.S.Nagarajan, 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 09.01.2018 seeking to accept the land tax with regard to the property comprised in Kaliyal Village, Vilavancode Taluk, Kanyakumari District having old Survey No.2996/3, re-survey No.784 and the present survey No. 202 named as Kaliyal Village of Kanyakumari District, 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 second respondent to consider the petitioner's representation dated 09.01.2018 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Padmanapuram,
Kanyakumari District.

2. The Tahsildhar,
Vilavancode Taluk
Kanyakumari District.

+ 1 CC TO Mr.S.C.HEROLD SINGH, ADVOCATE IN SR No. 62282

AAV

TE/KKR/SAR-1 : 10/05/2018 : 2P/4C