



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.14713 of 2018

Balasundaram

... Petitioner

vs.

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Thanjavur.
4. The Special Tahsildhar,
Nagarpura Nilavari Thittam,
Kumbakonam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents herein to issue the patta in respect of the petitioner land comprised in old T.S. No 74/2 subsequently sub divided as T.S.No.74/17 situated at Pudu Diwan Vada Thottam, Kumbakonam in pursuance to the proceedings in letter no.K3/24592/2016 dated 18.01.2017 by following the circular in Ref. No.K3/14710/2015 dated 07.08.2015 within the time stipulated by this Hon'ble Court.

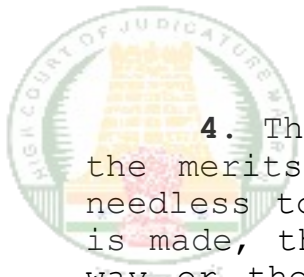
For Petitioner : Mr.S.Ramakrishnan
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

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 28.11.2016 seeking to issue patta, 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 in the light of the circular of the Commissioner of Land Administration dated 07.08.2015 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 conducting enquiry and giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Thanjavur.
4. The Special Tahsildhar,
Nagarpura Nilavari Thittam,
Kumbakonam.

+ 1 CC TO Mr.S.RAMAKRISHNAN, ADVOCATE IN SR No. 72218
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 72353

AAV

TE/SV/SAR-2 : 16/07/2018 : 2P/7C
<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No.14713 of 2018
10.07.2018

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