



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9198 of 2018

Marimuthu

... Petitioner

vs.

1. The District Collector,
Tuticorin District.

2. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

3. The Tahsildar,
Kovilpatti Taluk,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 27.06.2016, 24.08.2016 and consequently direct the 2nd respondent to remove the name of Valliammal, Vallaiah (who was died on 20.04.2015) on consideration of his Lawyer Notice, dated 27.06.2016 within time frame may be fixed by this Court.

For Petitioner : Mr.V.Muthuvelan

For Respondents : Mr.V.Anand

Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents.

2. It is the grievance of the petitioner that his representation dated 24.08.2016 seeking to remove the name of Valliammal, Vallaiah (who was died on 20.04.2015) on consideration of his Lawyer Notice, dated 27.06.2016, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.

<https://hcservices.courts.gov.in/hcservices>

3. 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.

4. 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 24.08.2016 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 any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar ()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District.
2. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
3. The Tahsildar,
Kovilpatti Taluk,
Tuticorin District.

+ 1 CC TO Mr.V.MUTHUVELAN, ADVOCATE IN SR No. 67560

TM
TE/SKN-RSK/SAR-1 : 18/06/2018 : 2P/5C

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