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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.08.2018
CORAM:
THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD) No.17317 of 2018

P.Aandichamy ... Petitioner

vs.

The Tahsildar
Madurai East Taluk
Y.Othakadai
Madurai District ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to consider and to issue patta in the petitioner's properties in Iyan punchai Re-survey no.397/3B2 to an extent of 29 cents and Iyan punchai Re-survey no.366/10A to an extent of 29 cents and the total extent of 58 cents of the land in Mangulam Village, Madurai East Taluk, Madurai District, based on the petitioner's representation dated 10.04.2018, within a stipulated time, fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran
For Respondent : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondent.

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 10.04.2018 seeking for issuance of Patta in his name in respect of the properties comprised in Iyan Punchai Re-survey Nos.397/3B2 and 366/10A, each measuring about 29 Cents, of Mangulam Village, Madurai East Taluk, Madurai District, has not been considered by the 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 respondent is 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 his office and as such, this Court would be justified in invoking its powers conferred under Article

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226 of the Constitution of India to direct him 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 respondent to consider the petitioner's representation dated 10.04.2018 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 the 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 (P&A)

/True Copy/

Sub Assistant Registrar (CS-II)

To:
The Tahsildar,
Madurai East Taluk,
Y.Othakadai,
Madurai District.

+1CC TO MR.J.JEYAKUMARAN, ADVOCATE IN SR.NO.77199.

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR,NO.77459.

KRK
DS RSK SAR-2 :10.09.2018: 2P/4C

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