



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9441 of 2018

WEB COPY

1.Jayanthi

2.Loorthuraj

... Petitioners

vs.

1.The Revenue Divisional Officer

Office of the Revenue Divisional Officer

Kodaikkanal, Dindigul District

2.Sanmugam

3.Vetrivel

4.Lakshmi

5.Maheshwari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 22.02.2018, relating to cancellation of Patta issued by the Deputy Tahsildar to the respondents 2 to 5 consequently to issue Patta in the name of the petitioners as per the registered document No.1428 of 2017, dated 13.09.2017, within a stipulated time.

For Petitioners: Mr.L.M.Vijai Boominathan

For Respondents: Mr.N.Shanmugaselvam

Additional Government Pleader for R1

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the first respondent. Notice to the respondents 2 to 5 is dispensed with in view of nature of the order to be passed by this Court.

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 petitioners that their representation dated 22.02.2018 seeking to cancel the Patta issued by the Deputy Tahsildar in favour of the respondents 2 to 5 and to issue a Patta in the name of the petitioners, as per the registered document No.1428 of 2017, dated 13.09.2017, has not been considered by the first respondent till date and therefore, they have 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 petitioners. 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 petitioners' 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 first respondent to consider the petitioner's representation dated 22.02.2018 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioners as well as to the respondents 2 to 5 and any other 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(crl side)

/True copy/

Sub Assistant Registrar

To:

The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kodaikkanal, Dindigul District.

KK/RSK/SAR 2/18/05/2018/3P/2C

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