



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9688 of 2018

and

W.M.P. (MD) Nos.8935 to 8937 of 2018

WEB COPY

- 1.Paramasivam
- 2.Ganapathy
- 3.Velammal
- 4.Andi
- 5.Chinnammal
- 6.Murugavel
- 7.Paramasivam
- 8.Murugamalai
- 9.Kalimuthu
- 10.Pandi
- 11.Saroja
- 12.Veeru Chinnammal
- 13.Palanikumar
- 14.Seenivasan
- 15.Dhanasekar
- 16.Arumugam
- 17.Thanga Muneeswaran
- 18.Soundira Pandian
- 19.Rathina Pandian
- 20.Balamurugan
- 21.Pandiarajan
- 22.Nagarajan
- 23.Balakrishnan
- 24.Kalyanasundaram
- 25.Ganesamoorthy
- 26.Theivendran
- 27.Subramani
- 28.Vasanthumar

: Petitioners

Vs.

1. The District Collector,
Theni District.
2. The Revenue Divisional Officer,
Periyakulam, Theni District.
3. The District Adi Dravidar Welfare Officer,
Office of District Collector, Theni.
4. The Special Tahsildar,
Adi Dravidar Welfare
Theni, Theni District.



5. The Tahsildar,
Taluk Office, Periyakulam,
Theni District.

6. The Block Development Officer,
Panchayat Union Office,
Periyakulam at Vadugapatti,
Periyakulam Taluk,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to issue patta to the displaced petitioners in S.No.142/2B measuring 52 cents and S.No.142/4 measuring 32 cents situated in Endapuli Village, Periyakulam Taluk, Theni District, described as "Tharisu" and "Village Natham" in the revenue records as alternate house site to the displaced petitioners with proper survey, measurement and fixing boundaries, and put up "Thoguppu Veedu" for poor landless/houseless under the Adi Dravidar Welfare Scheme with basic amenities.

For Petitioner	: Mr.Prabhu Rajadurai for Mr.K.Appadurai
For Respondents	: Mr.N.Shanmuga Selvam Additional Government Pleader

ORDER

Heard Mr.Prabhu Rajadurai, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Additional Government Pleader, who takes notice on behalf of 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 petitioners that their representation dated 08.01.2015 seeking for issuance of patta has not been considered by the respondents till date and therefore, have filed the present writ petition.

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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 first respondent to consider the petitioners' representation dated 08.01.2015 on its own merits and take further action in accordance with law, as expeditiously as possible, after giving due opportunity to the petitioners. In case there is any abnormal delay in considering the representation, it is always open to the petitioners to approach this Court once again seeking for said relief.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District.
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Periyakulam, Theni District.
3. The District Adi Dravidar Welfare Officer,
Office of District Collector, Theni.
4. The Special Tahsildar,
Adi Dravidar Welfare
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5. The Tahsildar,
Taluk Office, Periyakulam,
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6. The Block Development Officer,
Panchayat Union Office,
Periyakulam at Vadugapatti,
Periyakulam Taluk,
Theni District.

+1cc to Mr.K.Appadurai, Advocate Sr.No.64061

MYR

VB/SV/MMS/SAR2/15/05/2018/3P/8C