



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9854 of 2018

P.Jeyabai : Petitioner  
Vs.

1. The Revenue Divisional Officer,  
O/o. Revenue Divisional Officer,  
Collectorate, Nagarcoil-629 001.

2. The Tahsildar,  
Agastheeswaram Taluk,  
Kanyakumari District.

3. Maria Michael : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent herein to pass orders on the petitioner's representation cum appeal seeking for cancellation of patta issued in favour of the third respondent dated 27.04.2015 followed by reminders dated 30.12.2016, 08.08.2017 and 27.09.2017.

For Petitioner : Mr.D.Srinivasa Ragavan

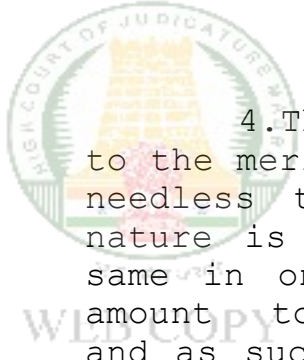
For R1 and R2 : Mr.N.Shanmuga Selvam,  
Additional Government Pleader.

ORDER

Heard Mr.D.Srinivasa Ragavan, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Additional Government Pleader, who takes notice on behalf of the respondents 1 and 2.

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 her representation cum appeal dated 11.02.2015 seeking for cancellation of patta has not been considered by the first respondent on the said date and therefore, 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 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.

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 cum appeal dated 11.02.2015 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 third respondent and any other persons, who may be interested in the subject property.

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

Sd/-  
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,  
O/o. Revenue Divisional Officer,  
Collectorate, Nagarcoil-629 001.
2. The Tahsildar,  
Agastheeswaram Taluk,  
Kanyakumari District.

+1CC to M/s.D.Srinivasa Ragavan, Advocate, Sr.63929

Myr

JM/KKR/SAR-I/17.05.2018/2P-4C

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27.04.2018