



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 9995 of 2018

Machi Naicker

... Petitioner

vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Dindigul,
Dindigul District,
3. The Tahsildhar,
Tahsildhar Office,
Dindigul East,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 22.03.2018 and grant separate patta in the name of the petitioner for the property measuring 0.38.5 hectares in Re- survey No.180/1B situated at Markkampatti Village, Kambiliampatti , Dindigul East Taluk, Dindigul District.

For Petitioner : Mr.P.Manikandan

For Respondents : Mr.V.Anand

Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate takes notice for 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 petitioner that his representation dated 22.03.2018 seeking to grant separate patta in his name for the property measuring 0.38.5 hectares in Re- survey No.180/1B situated at Markkampatti Village, Kambiliampatti , Dindigul East Taluk, Dindigul District, has not been considered by



the respondents 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 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.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 22.03.2018 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 giving due opportunity to the petitioner as well as to 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 (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Dindigul District, Dindigul.
2. The Revenue Divisional Officer,
Dindigul,
Dindigul District,
3. The Tahsildhar,
Tahsildhar Office,
Dindigul East,
Dindigul District.

+ 1 CC TO Mr.P.MANIKANDAN, ADVOCATE IN SR No. 64295

AAV

TE/KKR/SAR-4 : 30/05/2018 : 2P/5C