



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10085 of 2018

Kamatchi

... Petitioner

vs.

1.The Commissioner
Revenue Department
Ezilagam, Chepauk
Chennai-600 005

2.The District Collector
Office of the District Collector
Sivangai District

3.The Sub Collector
Office of the Sub Collector
Devakottai
Sivagangai District

4.The Tasildar
Karaikudi
Sivagangai District

5.The Commissioner
Office of the Commissioner
Karaikudi Municipality
Karaikudi
Sivagangai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue separate Patta to the petitioner's house situated in Survey No.161/P2, Navalar Street, Anna Nagar, Karaikudi, Sivagangai District, by considering the representation, dated 10.04.2018, submitted by the petitioner within a stipulated time.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.J.Gunaseelan Muthiah

<https://hcservices.ecourts.gov.in/hcservices/>

Additional Government Pleader for R1 to R4
Mr.P.Mahendran for R5

**ORDER**

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 to 4 and Mr.P.Mahendran, learned counsel, takes notice for the fifth 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 her representation dated 10.04.2018 seeking for issuance of a separate Patta for her house situated in Survey No.161/P2, Navalur Street, Anna Nagar, Karaikudi, Sivagangai District, has not been considered by the respondents till date and therefore, she 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 fourth 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 giving due opportunity to the petitioner as well as to the 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-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner,
Revenue Department,
Ezilagam, Chepauk,
Chennai-600 005.



2. The District Collector,
Office of the District Collector,
Sivangai District.

3. The Sub Collector,
Office of the Sub Collector,
Devakottai,
Sivagangai District.

4. The Tasildar,
Karaikudi,
Sivagangai District.

+1cc to Mr.P.MAHENDRAN, Advocate in SR.No.64591

+1cc to SPECIAL GOVERNMENT PLEADER, Advocate in SR.No.65024

+1cc to Mr.R.ALAGUMANI, Advocate in SR.No.64636

krk

SB-AK/JC/SAR3/24/05/2018/3P/8C

W.P. (MD) No.10085 of 2018
28.04.2018