



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.14326 of 2018

G.Samayal

... Petitioner

vs.

1. The District Collector
Madurai District
Madurai-625 020

2. The Thasildar
Madurai East Taluk
Othakadai
Madurai-625 107

3.S.Murugayee

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 and 2 to issue Patta on petitioner's house and vacant site in Door No.149, Kozhikudi, Ilamanur, Madurai East Taluk, Madurai District, by considering her representations, dated 08.05.2017, 24.07.2017 and 25.06.2018.

For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader for R1 & R2

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Notice to the third respondent 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 petitioner that her representations dated 08.05.2017, 24.07.2017 and 25.06.2018 seeking Patta in respect of her property situated at Door No.149,



Kozhikudi, Ilamanur, Madurai East Taluk, Madurai District, have not been considered by the official 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 representations made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the official 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 representations within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 25.06.2018 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 conducting enquiry and giving due opportunity to the petitioner as well as to the third respondent and any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Madurai District,
Madurai-625 020.
2. The Thasildar,
Madurai East Taluk,
Othakadai, Madurai-625 107.

krk
AE/SKN RSK/SAR1/17.07.2018/2P/3C