

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.06.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P.(MD)No.12190 of 2018**

M.Kannan

... Petitioner

-Vs-

1.The Additional Chief Secretary/
Commissioner of Land Administration,
Ezhizhagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Sivagangai, Sivagangai District.

3.The District Revenue Officer,
Sivagangai, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to consider the representation of the petitioner dated 28.05.2018 in respect of annul the order passed by him in proceedings Na.Ka.Pi4/15508/2013 dated 06.05.2014 pursuant to the order passed by the first respondent in his proceedings in Lr.No.K4/29768/2017 dated 09.04.2018 and in the light of the order passed by the second respondent in her proceedings in Na.Ka.Pi4/22865/17 dated 13.12.2017 and the order passed by the State Information Commissioner in CP.364/A/2017 dated 08.01.2018 within the time frame fixed by this Court.

For Petitioner : Mr.S.Mohamed Kadhar
For Respondents : Mr.V.Anand,
Government Advocate.

ORDER

Heard Mr.S.Mohamed Kadhar, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, 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 petitioner that his representation dated 28.05.2018 to annul the order passed by the third respondent in proceedings Na.Ka.Pi4/15508/2013 dated 06.05.2014, has not been



considered by the third respondent 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 28.05.2018 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 giving due opportunity to the petitioner as well as 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(CO)

/True copy/

Sub Assistant Registrar

To

1.The Additional Chief Secretary/
Commissioner of Land Administration,
Ezhizhagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Sivagangai, Sivagangai District.

3.The District Revenue Officer,
Sivagangai, Sivagangai District.

+1cc to Mr.S.Mohamed Kadhar, Advocate, SR.No.67298.

W.P. (MD) No.12190 of 2018

08.06.2018

myr