



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17322 of 2018

WEB COPY

Muniyasamy Chettiyar

... Petitioner

vs.

1.The District Collector
Ramanathapuram District
Ramanathapuram

2.The Tahsildar
Ramanathapuram
Ramanathapuram 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 my representation dated 06.06.2018 and consequently direct to direct to issue the Patta in my favour of my property situated in Survey No.4446/2, No.444/2A1 at Sayalkudi (sanmuga kumarapuram) in kadaladi Taluk, Ramanathapuram District.

For Petitioner : Mr.N.Saravanan
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 06.06.2018 seeking for issuance of Patta in his name in respect of the properties comprised in Survey Nos.4446/2 and 444/2A1 of Sayalkudi (Sanmugakumarapuram), Kadaladi Taluk, Ramanathapuram 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 second respondent to consider the petitioner's representation dated 06.06.2018 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 conducting enquiry and giving due opportunity to the petitioner as well as to the 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(Writs)

/True copy/

Sub Assistant Registrar

To:

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Ramanathapuram,
Ramanathapuram District.

+1cc to Mr.N.SARAVANAN, Advocate, SR.No.76942

+1cc to M/s.Special Government Pleader,SR.No.77475

W.P. (MD) No.17322 of 2018
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KRK

KK/RP/SAR-1/04.09.2018/2P-5C