

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.14602 of 2018****WEB COPY**

Ayyadurai

... Petitioner

vs.

1. The District Collector
Kanyakumari District
At Nagercoil

2. The Sub Registrar
Registration Department
Kottaram
Kanyakumari District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to take action on the petitioner's representation dated 03.06.2018 and drop the recovery of arrears of stamp-duty on the document No.4145 of 2012, dated 27.11.2012.

For Petitioner : Mr.R.J.Karthick

For Respondents: Mr.J.Gunaseelan Muthiah

Additional Government Pleader for R1

Mr.Murugan

Government Advocate for R2

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the first respondent and Mr.Murugan, learned Government Advocate, takes notice for the second 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 his representation dated 03.06.2018 seeking to drop recovery of arrears of stamp-duty on the document bearing registration No.4145 of 2012, dated 27.11.2012, 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 03.06.2018 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 (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Kanyakumari District,
At Nagercoil.
2. The Sub Registrar,
Registration Department,
Kottaram,
Kanyakumari District.

+1cc to Mr.R.J.Karthick, Advocate Sr.No.71863

+1cc to Spl.Government Pleader Sr.No.71943

KRK

VB/SKN/RSK/SAR2/20.07.2018/2P/5C

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