



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.14832 of 2018

G.Sooriyan

... Petitioner

vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Sub Collector,
O/o.Sub Collector Office,
Cheranmahadevi,
Tirunelveli District.
3. The Tahsildar,
Tahsildar Office,
Ambasamudram Taluk,
Ambasamudram,
Tirunelveli 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 26.04.2018 and the second respondent to cancel the patta which was issued by the third respondent in Patta No.612 in Survey No.685/2 in and extent of 0-54.00 hectares situated at Pottai Village, South Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District, and consequently direct the third respondent to issue a Patta in the name of the petitioner.

For Petitioner : Mr.M.Maran

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents.

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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 26.04.2018 seeking to cancel the Patta No.612 issued in the name of third parties in respect of the property comprised in Survey No.685/2, measuring an extent of 0-54.00 Hectares, of Pottai Village, South Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District and issue a fresh Patta in his name, 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 26.04.2018 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 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-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Sub Collector,
O/o.Sub Collector Office,
Cheranmahadevi,
Tirunelveli District.



3. The Tahsildar,
Tahsildar Office,
Ambasamudram Taluk,
Ambasamudram,
Tirunelveli District.

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+ 1 cc TO Mr.M.Maran , Advocate in SR No. 72569

krk

AE/PN/SAR3/23.07.2018/3P/5C

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