



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

**THE HONOURABLE MR. JUSTICE M.S.RAMESH**

WEB COPY

W.P. (MD) No.14388 of 2018

S.Muthu Nadar

... Petitioner

vs.

1.The Secretary

State of Tamil Nadu  
Housing Unit and Urban  
Development Department  
Fort St George  
Chennai-600 009

2.The Chairman and Managing Director

Tamil Nadu Housing Board  
Nandanam  
Chennai-600 009

3.The Executive Engineer and

Administrative Officer  
Tamil Nadu Housing Board  
Tirunelveli Housing Unit  
Sivanthipatty Road  
Tirunelveli-627 011

4.The District Collector

Kanyakumari District  
Collector's Office, Nagercoil

5.The Executive Engineer

Public Works Department  
Buildings Construction &  
Maintenance  
Nagercoil

6.The Tahsildar

Agastheeswaram Taluk  
Kanyakumari District  
Nagercoil

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the fourth respondent to issue Patta to the petitioner in respect of the Plot No.16 (SLC) (R.s.No.J-5-24/3, O.S.No.2130 NMC Ward No.26, 18F/69), at Konam, Agastheeswaram Taluk, Nagercoil, Kanyakumari District, to an extent of 2414 square feet in pursuance to the registered sale deed executed on 09.07.1990 by the third respondent in favour of the



petitioner's vendor one P.Thavamony and the registered sale deed executed on 18.03.1991 by P.Thavamony in favour of the petitioner within a stipulated time.

For Petitioner : Mr.T.Lajapathi Roy  
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 02.06.2018 seeking for issuance of Patta in respect of the house site purchased from the Tamil Nadu Housing Board, Tirunelveli Housing Unit-2, on 09.07.1990, 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 first respondent to consider the petitioner's representation dated 02.06.2018 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 (T&P)

/True Copy/

Sub Assistant Registrar



To:

1. The Secretary,  
State of Tamil Nadu,  
Housing Unit and Urban  
Development Department,  
Fort St George,  
Chennai-600 009.
2. The Chairman and Managing Director,  
Tamil Nadu Housing Board,  
Nandanam,  
Chennai-600 009.
3. The Executive Engineer and  
Administrative Officer,  
Tamil Nadu Housing Board,  
Tirunelveli Housing Unit,  
Sivanthipatty Road,  
Tirunelveli-627 011.
4. The District Collector,  
Kanyakumari District,  
Collector's Office,  
Nagercoil.
5. The Executive Engineer,  
Public Works Department,  
Buildings Construction &  
Maintenance,  
Nagercoil.
6. The Tahsildar,  
Agastheeswaram Taluk,  
Kanyakumari District,  
Nagercoil.

+1CC to Mr.T.Lajapathi Roy Advocate in SR.No.71430.

KRK

DS/SV/SAR-1 :18.07.2018: 3P/8C

W.P. (MD) No.14388 of 2018  
05.07.2018