



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)Nos. 14486, 14487 and 14488 of 2018

M.Bava Bugardeen ... Petitioner
(in W.P.(MD)Nos.14486 and 14487 of 2018)
B.Shahul Hameed ... Petitioner in W.P.(MD)No.14488 of 2018)

vs.

1.The District Collector,
Collectorate,
Madurai District.

2.The Revenue Divisional Officer,
Melur Division (Situated at Othakkadai)
Madurai District.

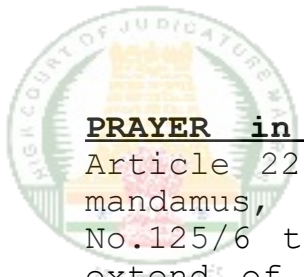
3.The Tahsildar,
Madurai East Taluk,
Madurai District.

4.The Taluk Surveyor,
Madurai East Taluk,
Madurai District.

... Respondents (in all writ petitions)

PRAYER in W.P.(MD)No.14486 of 2018: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to subdivide the land in Survey No.58/4D2 in Patta No.385 situated at Kalimangalam Village No.147, Madurai East Taluk, Madurai District to the extend of 3 ½ cents and to issue separate patta in the petitioner's name by considering the petitioner's representation dated 20.03.2018, within a stipulated time that may be fixed by this Court.

PRAYER in W.P.(MD)No.14487 of 2018: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to subdivide the land in Survey No.125/8D in Patta No.269 situated at Kalimangalam village No.147, Madurai East Taluk, Madurai District to the extend of 35 cents and issue separate patta infavour of the petitioner by considering the petitioner's representation dated 20.03.2018, within a stipulated time that may be fixed by this Court.



PRAYER in W.P.(MD)No.14488 of 2018: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to issue patta in Survey No.125/6 to the extend of 45 cents and in Survey No.16/3 to the extend of 35 cents totally 80 cents in Patta No.268 situated at Kalimangalam Village No.147, Madurai East Taluk, Madurai District in the petitioner's name by considering the petitioner's representation dated 20.03.2018, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.V.A.Dhana Aravindhha Balaji
for M/s.Dhana Law Associates

For Respondents : Mr.V.Anand,
Government Advocate
(in all writ petitions)

COMMON ORDER

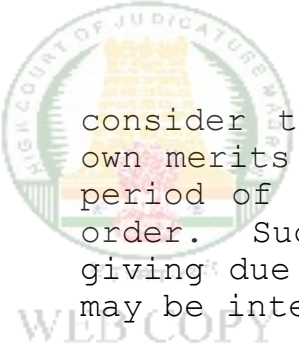
Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 4.

2. By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioners that their representations dated 20.03.2018 seeking to subdivide the lands in Survey No.58/4D2 in Patta No.385 and situated at Kalimangalam Village No.147, Madurai East Taluk, Madurai District to the extent of 3 ½ cents and to issue separate patta in the petitioner's name and to subdivide the land in Survey No.125/8D in Patta No.269 situated at Kalimangalam village No.147, Madurai East Taluk, Madurai District to the extent of 35 cents and issue separate patta infavour of the petitioner and to issue patta in Survey No.125/6 to the extent of 45 cents and in Survey No.16/3 to the extent of 35 cents totally 80 cents in Patta No.268 situated at Kalimangalam Village No.147, Madurai East Taluk, Madurai District in the petitioner's name, have not been considered by the respondents till date and therefore, they have filed these present writ petitions.

4. This Court has not expressed any of its view with regard to the merits of the representations made by the petitioners. 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 these writ petitions, there shall be a direction to the third respondent to



consider the petitioners' representations dated 20.03.2018 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 conducting enquiry and giving due opportunity to the petitioners and any other persons who may be interested in the subject matter.

6. With the above directions, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS-I)

To

1.The District Collector,
Collectorate,
Madurai District.

2.The Revenue Divisional Officer,
Melur Division (Situated at Othakkadai)
Madurai District.

3.The Tahsildar,
Madurai East Taluk,
Madurai District.

4.The Taluk Surveyor,
Madurai East Taluk,
Madurai District.

+3cc to M/s.V.A.Dhana Law Associates, Advocate, SR.No.71495.

W.P.(MD)Nos. 14486, 14487 and 14488 of
2018
06.07.2018

PNN

RAM/SV/SAR 1/24.07.2018/3P/8C