



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.14625 of 2018

and

W.M.P. (MD) No.13178 of 2018

P.Raju

... Petitioner

Vs.

1. The District Collector
Office of the District Collector
Trichy District
2. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Musiri Division, Trichy District
3. The Tahsildar
Thuraiyur Taluk Office
Thuraiyur, Trichy District
4. L.Kumarasamy
5. L.Thathan
6. K.Vasanth
7. P.Rajendran
8. P.Jaishankar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 3 herein to consider the petitioner's representation, dated 14.06.2018 and take necessary action within a stipulated time.

For Petitioner : Mr.K.Muthumalai

For Respondents : Mr.S.Nagarajan
R1 to R3 Special Government Pleader**O R D E R**

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 to 3. Notice to the respondents 4 to 8 is dispensed with in view of nature of the order to be passed by this Court.



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 14.06.2018 seeking to cancel the Patta issued in the name of Kumarasamy, Thathan, P.Rajendran and P.Jaishankar, under UDR Scheme, in respect of the property comprised in Survey No.583 of Kombai Village, measuring an extent of 8 Acres 46 Cents and issue a fresh Patta in the name of the Managing Committee of Arulmigu Kalliamman Temple at Kombai Village, 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 authorise the concerned authority to consider the petitioner's representation dated 14.06.2018 on its own merits and take further action in accordance with law, within a period of three months from the date of receipt of a copy of this order. Such an exercise shall be done by the concerned authority after conducting enquiry and giving due opportunity to the petitioner as well as to the respondents 4 to 8 and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Office of the District Collector,
Trichy District.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Musiri Division, Trichy District.



3. The Tahsildar,
Thuraiyur Taluk Office,
Thuraiyur, Trichy District.

+1CC to Mr.K.Muthumalai, Advocate, SR.No.71757

W.P. (MD) No.14625 of 2018

and

W.M.P. (MD) No.13178 of 2018

09.07.2018

KRK

ES/RP/SAR 1/18.07.2018/3P/5C