



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.14844 of 2018

J.David Ganesan

... Petitioner

vs.

1.The District Collector
Thoothukudi District
Thoothukudi

2.The Revenue Divisional Officer
Thiruchendur Revenue Division
Thoothukudi District

3.The Thasildar
Tiruchendur Taluk
Tiruchendur
Thoothukudi District

4.Francis Bharathi (B.E.)
Village Administrative Officer
Angamangalam Village Panchayat
Kurumbur, Thoothukudi 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 appropriate action to include the Survey Numbers in 282/1, 281/28 situated in the petitioner's Village as a public road in the Village Sketch entry, Village Account on the basis of the petitioner's representation dated 19.12.2017.

For Petitioner : Mr.J.Ashok

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader for R1 to R3

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government, takes notice for the respondents 1 to 3. Notice to the fourth respondent 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.



situated in Survey Nos.282/1, 281/28 of Angamangalam Village, as a Government public pathway in the Village Sketch and records, has not been considered by the official 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 official 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 19.12.2017 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 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(Crl. side)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector,
Thoothukudi District, Thoothukudi.
- 2.The Revenue Divisional Officer,
Thiruchendur Revenue Division,
Thoothukudi District.
- 3.The Thasildar,
Tiruchendur Taluk,
Tiruchendur, Thoothukudi District.

+1cc to M/S.J.Ashok, Advocate SR.No. 72586

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