

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.14649 of 2018**

V.Essaki

... Petitioner

vs.

1. The District Collector
Tirunelveli District
Tirunelveli

2. The Tahsildar
Palayamkottai Taluk
Palayamkottai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the second respondent to grant a separate Patta to the petitioner for the land to an extent of 2 Acres 84 Cents in Survey No.817/4 which situates at Kongathanparai, Puthukulam Village, Tirunelveli District, on the basis of the representation sent by the petitioner, dated 25.06.2017.

For Petitioner : Mr.M.Benazir Begum

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader for R1 & R2

O R D E R

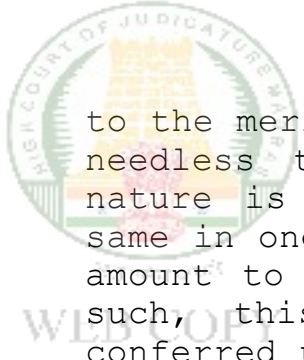
Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents.

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 25.06.2017 seeking for issuance of Patta in respect of the land comprised in Survey No.817/4, measuring an extent of 2 Acres 84 Cents, of Kongathanparai, Puthukulam Village, Tirunelveli District, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

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 25.06.2017 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 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-III)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Palayamkottai Taluk,
Palayamkottai.

Krk
AE/SKN RSK/SAR1/17.07.2018/2P/3C

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