



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16079 of 2018

WEB COPY

K.Thangarasu

... Petitioner

vs.

1. The District Collector,
Collector Office,
Pudukkottai District.
2. The Revenue Divisional Officer,
Aranthani,
Pudukkottai District.
3. The Tahsildar,
Aranthangi,
Pudukkottai District.

4.R.Saraswathy

5.Nagammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to cancel the assignment patta made in S.F.Nos.116/9 and 116/10 of Rethinakkottai Village, Aranthangi Taluk, Pudukkottai District and direct the second respondent to issue patta in the name of the petitioner by considering the petitioner's representation dated 21.03.2018.

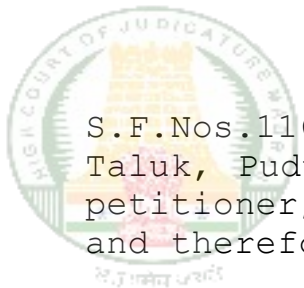
For Petitioner	: Mr.K.Baalasundharam
For R1 to R3	: Mr.N.Shanmugaselvam Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader takes notice for the respondents. Notice to the Respondents No.4 and 5 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 application dated 21.03.2018 seeking to cancel the assignment patta made in



S.F.Nos.116/9 and 116/10 of Rethinakkottai Village, Aranthangi Taluk, Pudukkottai District and to issue patta in the name of the petitioner, 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 application made by the petitioner. It is needless to point out that whenever an application 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 application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 21.03.2018 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 fourth and fifth respondents and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The District Collector,
Collector Office,
Pudukkottai District.
2. The Revenue Divisional Officer,
Aranthani,
Pudukkottai District.
3. The Tahsildar,
Aranthangi,
Pudukkottai District.

+1cc to Mr.K.Baalasundharam, Advocate SR.No.75116

Rmi

MK/KAK/SAR 2/06.08.2018/2P/5C