



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.14856 of 2018

Murugan

... Petitioner

vs.

1. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.

2. The Tahsildar,
Taluk Office,
V.K.Pudur Taluk,
Tirunelveli District.

3. Alagusundaram

4. Thirumalaikumar

5. Ramesh @ Ramasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the second respondent to conduct an enquiry on the basis of the petitioner's representation, dated 11.01.2018, regarding illegal change of patta.

For Petitioner : Mr.S.Gokulraj

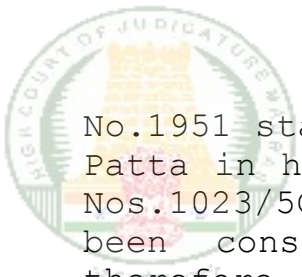
For Respondents : Mr.N.Shanmugalselvam
Additional Government Pleader for R1 & R2

O R D E R

Mr.N.Shanmugalselvam, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Notice to the respondents 3 to 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 representation dated 11.01.2018 seeking to cancel the Patta



No.1951 stands in the name of one Narayana Yogiswarar and to grant Patta in his name, in respect of the property comprised in Survey Nos.1023/5C, 1024/4, 1026/3 and 1026/5 of Surandai Village has not been considered by the official respondents till date and therefore, he has filed the present writ petition.

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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 first respondent to consider the petitioner's representation dated 11.01.2018 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 petitioner as well as to the respondents 3 to 5 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.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To:

1. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.
2. The Tahsildar,
Taluk Office,
V.K.Pudur Taluk,
Tirunelveli District.

+ 1 cc TO Mr.S.Gokul Raj , Advocate in SR No. 72206

krk

AE/PN/SAR3/23.07.2018/2P/4C

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W.P. (MD) No.14856 of 2018
11.07.2018