



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.15102 of 2018

N.Abdul Kader

... Petitioner

vs.

1.The District Collector,
O/o. the District Collectorate Campus,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Srirangam, Trichy-Dindigul Road,
Vannankoil, Navalur Kuttapattu Post,
Trichy District.

3.The Thasildhar,
Managapuri Taluk,
Trichy, Trichy District.

4.Rasathi @ Rokkaiah

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to mutate the patta by removing the name of the fourth respondent in patta No.1494 based on the report submitted by the 3rd respondent in his proceedings in Na.Ka.No.A2/420/2017, dated 09.03.2018, by considering his representation dated 22.06.2018 within the period that may be stipulated by this Court.

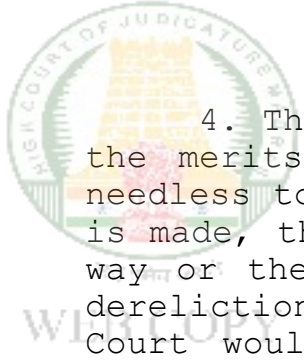
For Petitioner : Mr.A.Nawazkhan
For RR1 to 3 : Mr.V.Anand
Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3.

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 22.06.2018, seeking for removing the name of the fourth respondent in Patta No.1494 based on the report submitted by the 3rd respondent in his proceedings in Na.Ka.No.A2/420/2017, dated 09.03.2018, has not been considered by the second respondent 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 an 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 third respondent to consider the petitioner's representation dated 22.06.2018 on its own merits and take further action in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving notice to the fourth respondent 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(P&A)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

- 1.The District Collector,
O/o. the District Collectorate Campus,
Trichy District, Trichy.
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Trichy, Trichy District.

+1cc to M/S.Ajmal Associates, Advocate SR.No. 72784

W.P. (MD) No.15102 of 2018
12.07.2018

sjj