

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****W.P. (MD) No.14935 of 2018**

Sivasanku

... Petitioner

vs.

The Tahsildar  
Tahsildar Office  
Theni Taluk  
Theni District

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to issue Patta in the name of the petitioner in respect of his land situated in Survey No.529/6, situated at Poomalaigundu Village, Theni Taluk, Theni District, on the basis of the proceedings of the respondent, dated 29.07.2016, in Na.Ka.No.60/2016/A6 more particularly within a stipulated time.

|                |   |                                                      |
|----------------|---|------------------------------------------------------|
| For Petitioner | : | Mr.M.Karunanithi                                     |
| For Respondent | : | Mr.N.Shanmugaselvam<br>Additional Government Pleader |

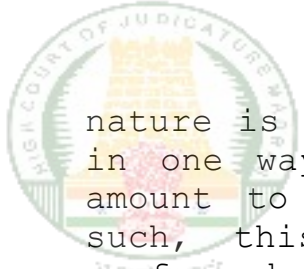
**O R D E R**

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

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 17.01.2018 seeking for issuance of Patta in his name in respect of his land comprised in Survey No.529/6 of Poomalaigundu Village, Theni Taluk, Theni District, on the basis of the proceedings, dated 29.07.2016, in Na.Ka.No.60/2016/A6, has not been considered by the 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 a representation of this



nature is made, the respondent is 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 his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him 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 respondent to consider the petitioner's representation dated 17.01.2018 on the basis of the proceedings, dated 29.07.2016, in Na.Ka.No.60/2016/A6, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done 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(Writs)

/True Copy/

Sub Assistant Registrar

To:

The Tahsildar,  
Tahsildar Office,  
Theni Taluk,  
Theni District.

+ 1 cc TO Mr.M.Karunanithi , Advocate in SR No. 72324

krk

AE/PN/SAR3/23.07.2018/2P/3C

**W.P. (MD) No.14935 of 2018**  
**11.07.2018**