



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESHW.P.(MD) No.14943 of 2018 and
W.M.P.(MD) No.13506 of 2018

1. A.Chinthamani
2. A.Pandiarajan

... Petitioners

vs.

1. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The District Revenue Officer,
Pudukkottai District,
Pudukkottai.
3. Thasildar,
Thirumayam Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 3 to issue Patta for the suit lands situated in Rayavaram Village of Thirumayam Taluk in Pudukkottai District in the light of the decree in O.S.No.101 of 2009, on the file of the District Munsif-cum-Judicial Magistrate, at Thirumayam, considering the petitioner's representations dated 01.07.2014 and 05.07.2018.

For Petitioners : Mr.V.Nagendran

For Respondents : Mr.V.Anand

Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, 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 petitioners that their representations dated 01.07.2014 and 05.07.2018 seeking for issuance of Patta in respect of the subject lands in O.S.No.101 of 2009, on the file of the learned District Munsif-cum-Judicial Magistrate, at Thirumayam, on the basis of the decree dated 20.04.2010, has not



been considered by the respondents till date and therefore, they have filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representations made by the petitioners. 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 petitioners' representations 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 petitioners' representations dated 01.07.2014 and 05.07.2018 on the basis of the decree, dated 20.04.2010, made in O.S.No.101 of 2009, on the file of the learned District Munsif-cum-Judicial Magistrate, at Thirumayam, 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 petitioners 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Pudukkottai District,
Pudukkottai.
2. The District Revenue Officer,
Pudukkottai District,
Pudukkottai.
3. The Thasildar,
Thirumayam Taluk,
Pudukkottai District.

+ 1 CC TO Mr.V.NAGENDRAN, ADVOCATE IN SR No. 72373

KRK

TE/PN/SAR-4 : 17/07/2018 : 2P/5C