



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.14967 of 2018

Murugan

... Petitioner

vs.

1. The District Collector
Thoothukudi District
Thoothukudi.

2. The Revenue Divisional Officer
Thoothukudi District
Thoothukudi.

3. The Tahsildar
Kayathar Taluk
Thoothukudi District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the third respondent to dispose of the patta transfer application of the petitioner dated 18.09.2017 in respect of the survey nos.260/1,4, 268/4,6,269/3, 270/1,3 and 272/4,9 having total extent of 37 acres and 78 cents situated in Thennampatti Village, Kayathar Taluk, Thoothukudi District.

For Petitioner : Mr.R.Ponkarthikeyan

For Respondents : Mr.N.Shanmuga Selvam

Additional Government Pleader

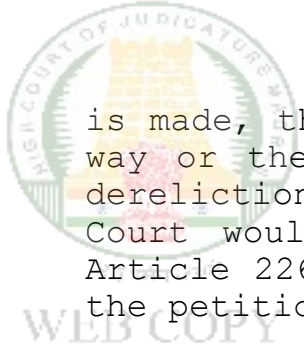
O R D E R

Mr.N.Shanmuga Selvam, learned Additional Government Pleader, 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 petitioner that his representation dated 18.09.2017 seeking to dispose of the patta transfer application, 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 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 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 second respondent to consider the petitioner's representation dated 18.09.2017 on its own merits and take further action in accordance with law, within a period of two 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 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(CS-III)

To

1. The District Collector
Thoothukudi District
Thoothukudi.
2. The Revenue Divisional Officer
Thoothukudi District
Thoothukudi.
3. The Tahsildar
Kayathar Taluk
Thoothukudi District

+1cc to M/S.R.Ponkarthikeyan, Advocate SR.No. 72247

W.P.(MD) No.14967 of 2018

11.07.2018

aav
JM/RP/SAR 3/24.07.2018/2P/5C