



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15043 of 2018

A.K.Pillaiyar Thevar

... Petitioner

vs.

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

2.The Tahsildar,
Taluk Office, Sivagiri Taluk,
Tirunelveli District.

3.Samuthirapandian

... 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 20.03.2018, regarding illegal change of patta.

For Petitioner : Mr.J.C.Rathnavel Pandian

For R1 and R2 : Mr.S.Nagarajan

Special Government Pleader

ORDER

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the first and second 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 20.03.2018, seeking to conduct an enquiry regarding illegal change of patta 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 application 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 20.03.2018 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 third respondent as well as to 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 Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

2. The Tashildar,
Taluk Office,
Tirunelveli District.

+1 CC to Mr.J.C.RATHNAVEL PANDIAN, Advocate in SR.No.72748

SJI
RJ/PN/SAR-3/26/07/2018 - 2P/4C

W.P. (MD) No.15043 of 2018
12.07.2018