



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.14996 of 2018

S. Manikandan

... Petitioner

vs.

1. The District Collector
Thanjavur District.2. The Revenue Divisional Officer
Kumbakonam, Thanjavur District.3. The Tahsildhar
Thiruvidaimaruthur,
Kumbakonam, Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the third respondent to modify the entry in the patta on the basis of the registered settlement deed dated 29.09.1997 vide Doc. No.1294/1997 as per the representation of the petitioner dated 01.11.2016 in accordance with law.

For Petitioner : Mr.C.Padmaraj
For Respondents : Mr.V.Anand
Government Advocate

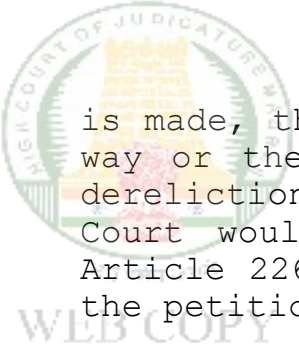
O R D E R

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 petitioner that his representation dated 01.11.2016 seeking to modify the entry in the patta on the basis of the registered settlement deed dated 29.09.1997 vide Doc. No.1294/1997, 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 01.11.2016 on its own merits and take further action in accordance with law, within a period of eight 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 (AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector
Thanjavur District.
2. The Revenue Divisional Officer
Kumbakonam,
Thanjavur District.
3. The Tahsildhar
Thiruvidaimaruthur,
Kumbakonam,
Thanjavur.

+1CC to Mr.C.Padmaraj Advocate in SR.No.72875.

AAV
DS/SV/SAR-1 :19.07.2018: 2P/5C

W.P. (MD) No.14996 of 2018
12.07.2018