



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15240 of 2018

Rakkamuthu

... Petitioner

vs.

1. The District Collector
Ramanathapuram District.

2. The Tahsildhar
Ramanathapuram
Ramanathapuram District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the second respondent herein to issue patta forthwith in respect of petitioner property comprised in S.No.133/ 5 and 133/6 of an extent of 1 Acre 24 cents situated at Karan Village, Ramanathapuram District.

For Petitioner : Mr.N.Mariappan
For Respondents : Mr.S.Nagarajan
Special Government Pleader

ORDER

Mr.S. Nagarajan, learned Special 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 23.04.2018 seeking to issue patta forthwith in respect of his property comprised in S.No.133/ 5 and 133/6 situated at Karan Village, Ramanathapuram District, 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 23.04.2018 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(IV)

To

1. The District Collector
Ramanathapuram District.

2. The Tahsildhar
Ramanathapuram
Ramanathapuram District

+1cc to Mr.N.Mariappan, Advocate, SR.No.73089.

W.P.(MD) No. 15240 of 2018
13.07.2018

AAV

RAM/SKN/SAR 4/24.07.2018/2P/4C