



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15261 of 2018

J.Mariya Parthiban

... Petitioner

vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Tahsildhar,
Kalkulam Taluk,
Kanyakumari District.
3. The Executive Officer,
Water Resource/Public Works Department
PWD Road, Nagercoil,
Kanyakumari District.
4. The Assistant Engineer,
Water Resource/Public Works Department
PWD Road, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to issue patta in the name of the petitioner in respect of the land to an extent of 3 cents in S.No.569/12 Nullivilai 'A' Village, Kalkulam Taluk, Kanyakumari District by considering the petitioner's representation dated 28.05.2018.

For Petitioner : Mr.R.Murugan

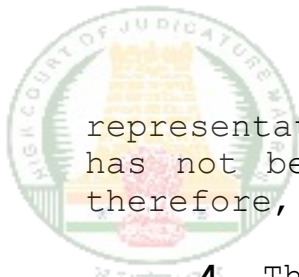
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader**O R D E R**

Mr.J.Gunaseelan Muthiah, 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.

<https://hcservices.ecourts.gov.in/hcservices/>

3. It is the grievance of the petitioner that his



representation dated 28.05.2018 seeking to issue patta in his name, 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 28.05.2018 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 (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The District Collector
Kanyakumari District
Nagercoil.
2. The Tahsildhar
Kalkulam Taluk
Kanyakumari District
3. The Executive Officer
Water Resource/Public Works Department
PWD Road, Nagercoil
Kanyakumari District.



4. The Assistant Engineer
Water Resource/Public Works Department
PWD Road, Nagercoil
Kanyakumari District.

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+ 1 CC TO Mr.R.MURUGAN, ADVOCATE IN SR No. 72970
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 73672

AAV

TE/SKN/SAR-2 : 24/07/2018 : 3P/7C

W.P. (MD) No.15261 of 2018
16.07.2018