



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 15404 of 2018

WEB COPY

Pooranathammal

... Petitioner

Vs.

1. The District Revenue Officer,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3. Thasildhar,
Karaikudi Taluk,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to take appropriate action to conduct the enquiry pursuant to the Enquiry Notice in Na.Ka.P1/5237/2018 dated 13.04.2018, with regard to grant of patta in respect of Petitioner's land by suitably directing the second and third respondents to take appropriate action against the occupants, within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Gajendran

For Respondents: Mr.J.Gunaseelanmuthiah

Additional Government Pleader

ORDER

Mr.J.Gunaseelanmuthiah, 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 is to direct the first respondent to take appropriate action to conduct the enquiry pursuant to the Enquiry Notice in Na.Ka.P1/5237/2018 dated 13.04.2018, with regard to grant of patta in respect of the petitioner's land by suitably directing the second and third respondents to take appropriate action against the occupants, which has not been considered by the first 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 first respondent to complete the enquiry pursuant to the petitioner's representation dated 15.09.2017 within a period of three months. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents and 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 Revenue Officer,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Devakottai, Sivagangai District.
3. Thasildhar,
Karaikudi Taluk,
Karaikudi, Sivagangai District.

+1CC to Mr.S.Gajendran, Advocate, SR.No.73904

+1CC to the Special Government Pleader SR.No. 73583

W.P.(MD) No.15404 of 2018

17.07.2018

PNN

ES/SKN/RSK/SAR 2/31.07.2018/2P/6C