



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.07.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.15454 of 2018

M.Kannan : Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

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

3. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the third respondent to issue a patta for the petitioner's house property situated at No.1431/D3, Kamatchi Nagar, Near A.R.Line, Sivagangai District based on his representation dated 11.11.2016 as expeditiously within a time stipulation as prescribed by this Court.

For Petitioner : Mr.P.Saravanan
For Respondents : Mr.Gunaseelanmuthiah
Additional Government Pleader

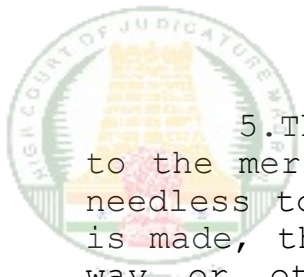
ORDER

Heard Mr.P.Saravanan, learned counsel appearing for the petitioner, Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader who takes notice on behalf of 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, for granting of patta to the petitioner's dwelling house, has not been considered by the respondents till date and therefore, has filed the present writ petition.

4.The learned Additional Government Pleader submitted that the petitioner's application dated 11.11.2016 seeking for patta is bereft of any particulars including the survey numbers.



5.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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

6.In view of the limited prayer sought for in this writ petition, the petitioner is granted liberty to make a fresh application, disclosing the entire particulars of the subject property. On receipt of such application, the third respondent is directed to conduct a detailed enquiry, after giving due opportunity to the petitioner as well as any other persons, who may be interested in the subject property 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.

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

+1 CC to Mr.P.SARAVANAN, Advocate in SR.No.73200

+1 CC to the Special Government Pleader, SR.No.73572

RMK

RJ/RP/SAR-3/26/07/2018 - 3P/6C

W.P. (MD) No.15454 of 2018

17.07.2018