

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 17.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.15399 of 2018****WEB COPY**

Palanikumar

... Petitioner

vs.

1. The District Revenue Officer,
Theni, Theni District.

2. The Revenue Divisional Officer,
Periyakulam, Theni District.

3. The Tahsildar,
Periyakulam Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents 1 and 2 herein to pass final orders on the report of the third respondent in Na.Ka.No.S.1/933/2015 dated Nil.07.2015 recommending for correction as 0.02.5 Ares in S.No.138/1B and 0.19.5 Acres in S.No.138/1C.

For Petitioner : Mr.K.Appadurai
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 the recommendation of the third respondent in Na.Ka.No.S.1/933/2015 dated Nil.07.2015, shall be considered and final orders may be passed. But the recommendation of the third respondent, has not been considered by the first and second respondents, 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.

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5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 10.06.2014 and the proceedings of the third respondent in Na.Ka.No.S.1/933/2015 dated Nil.07.2015, 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 the respondent 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(w)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The District Revenue Officer,
Theni, Theni District.
2. The Revenue Divisional Officer,
Periyakulam, Theni District.
3. The Tahsildar,
Periyakulam Taluk,
Theni District.

+1cc to Mr.K.Appadurai, Advocate Sr.No.73288

PNN

VB/SKN/RSK/SAR1/31.07.2018/2P/5C

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