



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15597 of 2018

P.Periyasamy

... Petitioner

Vs.

1.The District Revenue Officer,
O/o. The District Revenue Officer,
Madurai District.

2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

3.V.Asaithambi

4.V.Packiaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent No.1 to dispose of the revision petition preferred by the petitioner dated 09.02.2017 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For R1 and R2 : Mr.N.Shanmuga Sevlam
Additional Government Pleader.

ORDER

Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the respondent. Notice to the third and fourth respondents is dispensed with in view of the nature of the order passed in this writ petition.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner is the original owner of the property in question. But, during UDR entry, the said property was erroneously registered in the name of the third and fourth respondents. Hence, the petitioner has given a representation on 09.02.2017 to the respondents to mutate revenue records. Since the same has not been considered by the respondents till date, the petitioner 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 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.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to dispose of the petitioner's revision petition, dated 09.02.2017, if not already disposed of, on its own merits within a period of three months from the date of receipt of a copy of this order. Such an exercise shall be made, after giving notice to the respondents three and four and any other persons, who may be interested in the subject property.

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

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Revenue Officer,
O/o. The District Revenue Officer,
Madurai District.

2. The Tahsildar,
Thirumangalam Taluk,
Madurai District.

+1cc to M/S.T.Lajapathi Roy, Advocate SR.No. 73775

W.P. (MD) No. 15597 of 2018
18.07.2018

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JM/SKN RSK/SAR 2/07.08.2018/2P/4C