



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.15560 of 2018

P. Joseph

... Petitioner

Vs.

1. The District Collector,
Tuticorin District.

2. The Thasildar,
Tuticorin Taluk,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to issue the separate patta to the petitioner for Survey NO.223/3C1A is situated at Rajapalayam, Mappipillaiyurani, Tuticorin District based on the petitioner's representation dated 12.02.2018.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.V.Anand

Government Advocate

ORDER

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 his representation dated 12.02.2018 seeking to issue a separate patta to the petitioner for the land comprised in Survey No.223/3C1A situated at Rajapalayam, Mappillaiyurani, Tuticorin District has not been considered by the respondents till date and therefore, 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 second respondent to consider the petitioner's representation dated 12.02.2018 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be made, after giving notice to the petitioner and any other persons, who may be interested in the subject matter.

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

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Tuticorin District.
2. The Thasildar,
Tuticorin Taluk,
Tuticorin District.

+ 1 CC TO Mr.M.SANKAR, ADVOCATE IN SR No. 73477

TA
TE/RP/SAR-1 : 31/07/2018 : 2P/4C

W.P. (MD) No.15560 of 2018
18.07.2018