



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16169 of 2018

K.Maruthaiah

... Petitioner

vs.

1.The District Revenue Officer,  
Thenkasi,  
Tirunelveli District.

2.The RDO,  
Office of the RDO,  
Thenkasi,  
Tirunelveli District.

3.The Tahsildar,  
Office of the Tahsildar,  
Kadayanallur,  
Thenkasi Taluk,  
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to issue patta in the name of the petitioner for an extent of 4 acres 1 cent situated in Survey No.161/1 at Kambaneri Pudhukudi Village.

|                 |                                                        |
|-----------------|--------------------------------------------------------|
| For Petitioner  | :Mr.Niranjana S.Kumar                                  |
| For Respondents | :Mr.N.Shanmuga Selvam<br>Additional Government Pleader |

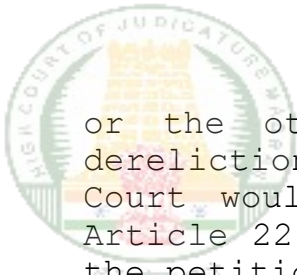
O R D E R

Mr.N.Shanmuga Selvam, 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 that his representation dated 28.12.2017 seeking to issue patta in the name of the petitioner for an extent of 4 acres 1 cent situated in Survey No.161/1 at Kambaneri Pudhukudi Village, has not been considered by the 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 application made by the petitioner. It is needless to point out that whenever an application 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 application 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 third respondent to consider the petitioner's representation dated 28.12.2017 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 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(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1.The District Revenue Officer,  
Thenkasi,  
Tirunelveli District.

2.The RDO,  
Office of the RDO,  
Thenkasi,  
Tirunelveli District.

3.The Tahsildar,  
Office of the Tahsildar,  
Kadayanallur,  
Thenkasi Taluk,  
Tirunelveli District.

+1cc to M/S.Niranjan S.Kumar, Advocate SR.No. 74616

W.P.(MD) No.16169 of 2018

24.07.2018

rmi

JM/KAK/SAR 2/07.08.2018/2P/5C

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