



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16075 of 2018

WEB COPY

Adaikala Gounder

... Petitioner

vs.

1. The District Collector,
The District Collector Office,
Pudukkottai,
Pudukkottai District.
2. The Revenue Divisional Officer,
Illuppur,
Illuppur Taluk,
Pudukkottai District.
3. The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant permission for removing of Thorny Porches and Seemai Karuvelai trees in S.F.No.188/2 (Pothankulam) of Viruthapatti Village, Viralimalai Taluk, Pudukkottai District by considering petitioner representation dated 23.02.2017.

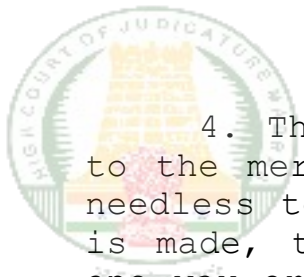
For Petitioner : Mr.K.Baalasundharam
For Respondents : Mr.J.Gunaseelanmuthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelanmuthiah, 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 23.02.2017 seeking for removing of Thorny Porches and Seemai Karuvelai trees in S.F.No.188/2 (Pothankulam) of Viruthapatti Village, Viralimalai Taluk, Pudukkottai District, 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.

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 23.02.2017 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after 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 (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
The District Collector Office,
Pudukkottai,
Pudukkottai District.
2. The Revenue Divisional Officer,
Illuppur,
Illuppur Taluk,
Pudukkottai District.
3. The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

+1cc to Mr.K.Baalasundharam, Advocate SR.No.75117

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.74824

Rmi

MK/KAK/SAR 2/01.08.2018/2P/6C