



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16357 of 2018

Musafar Alaudeen

... Petitioner

Vs.

1. The District Collector
Sivagangai.

2. The Tahsildar
Ilayankudi,
Sivagangai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondent to consider the representation of the petitioner dated 30.10.2017 given to the respondents for transfer of patta in respect of the property comprised in survey no. 20 measuring 11 acres 70 cents situated at Ilayankudi Village in the name of the petitioner.

For Petitioner : Mr.C.Susikumar
For Respondents : Mr.V.Anand
Government Advocate

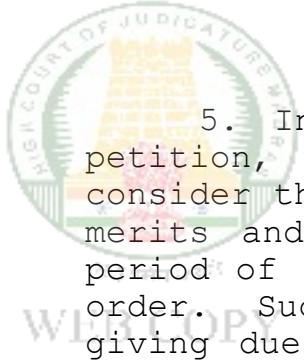
ORDER

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 30.10.2017 seeking for transfer of patta in respect of the property comprised in survey no 20 measuring 11 acres 70 cents situated at Ilayankudi 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 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.



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 30.10.2017 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 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(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To :

1. The District Collector
Sivagangai.

2. The Tahsildar
Ilayankudi,
Sivagangai District.

+1CC to the Special Government Pleader SR.No. 75545

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AAV
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