



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

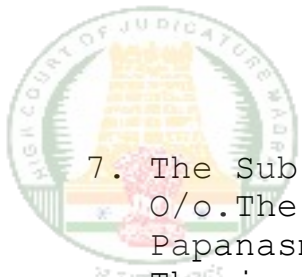
W.P.(MD) No.16257 of 2018 and
W.M.P.(MD) No.14470 of 2018

A.A.Mohammed Ibrahim

... Petitioner

vs.

1. The District Collector,
Collectorate Buildings,
Trichy Road,
Thanjavur,
Thanjavur District.
2. The Deputy Director of
Town and Country Planning,
No.33, Rajappa Nagar,
Medical College Road,
Thanjavur.
3. The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Opp.To Court,
Kumbakonam-612 001
Thanjavur District.
4. The Tahsildar,
Papanasam Taluk,
Balaji Nagar,
Papanasam,
Thanjavur District.
5. The Panchayat Secretary,
Panchayat Union Office,
Goburajapuram,
Papanasam Taluk,
Thanjavur District.
6. The Block Development Officer,
Taluk Office Road,
Papanasam-614 205
Thanjavur District



7. The Sub Registrar,
O/o.The Sub Registrar,
Papanasm-614 205
Thanjavur District.

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8. R.Kesavan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus forbearing the respondent Nos.2 and 6 from approving the plot layout plan submitted by the respondent No.8 for the agricultural land in Survey Nos.346/1 Part, 2, 3, 4 5, 6, 7, 8 in an extent of 42932.00 sq.feet in Gopurajapuram Village, Papanasam Taluk, Thanjavur District by showing a portion of the petitioner's agriculture land in old survey No.346/11, New Survey No.16A/8 measuring 39 cents in Gopurajapuram Village, Papanasam Taluk, Thanjavur District, as permanent road.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents: Mr.V.Anand

Government Advocate for R1 to R5

Mr.M.Pandiarajan

Additional Government Pleader for R6

Mr.M.Murugan

Government Advocate for R7

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 5, Mr.M.Pandiarajan, learned Additional Government Pleader, takes notice for the sixth respondent and Mr.M.Murugan, learned Government Advocate, takes notice for the seventh respondent. Notice to the eighth respondent is dispensed with in view of nature of the order to be passed by this Court.

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 31.05.2018 seeking to forbear the respondents 2 and 6 from approving the plot layout plan submitted by the eighth respondent for the agricultural land comprised in Survey Nos.346/1 Part, 2, 3, 4 5, 6, 7, 8 measuring an extent of 42932.00 sq.feet in Gopurajapuram Village, Papanasam Taluk, Thanjavur District, by showing a portion of the his land comprised in old survey No.346/11, New Survey No.16A/8, measuring an extent of 39 Cents, of Gopurajapuram Village, Papanasam Taluk, Thanjavur



District, as a permanent road, has not been considered by the official 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 official 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 31.05.2018 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 the eighth respondent and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The District Collector,
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7. The Sub Registrar,
O/o.The Sub Registrar,
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Thanjavur District.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 75095

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74885

KRK

TE/RP/SAR-1 : 02/08/2018 : 4P/10C

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