



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.16285 of 2018

- 1.Najima Begum
- 2.Michael Raj
- 3.Jagubarsadik
- 4.Abdul Kadhar
- 5.Jeyanthi
- 6.Annammal
- 7.Mumtaj Begum
- 8.Selva Mary
- 9.Ayesha Ammal
- 10.Samsath Begum
- 11.Abdul Pasthi
- 12.Shalha Ammal
- 13.Jesima Ammal
- 14.Jannathul Beevi
- 15.Palkees Ammal
- 16.Katheeja Ammal
- 17.Rani
- 18.Manmathan
- 19.Layeela Beevi

... Petitioners

vs.

1. The District Collector
Pudukottai District
Pudukottai
2. The Thasildar
Manamelkudi Taluk
Manamelkudi
Pudukottai 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 Patta to the petitioners respectively 0.01.0 Ares and 0.01.5 Ares comprised in Survey No.196/4 in the total extent of 1.62.5 Ares, Kottapattinam Village, Manamelkudi Taluk, Pudukottai District, based on the proceedings of the first respondent made in Na.Ka.E2/611/2015 dated 27.02.2015 and the representations of the petitioners respectively dated 06.11.2016 and 30.12.2017.



For Petitioners: Mr.I.Velpradeep
For Respondents: Mr.N.Shanmugaselvam
Additional Government Pleader

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ORDER

Mr.N.Shanmugaselvam, 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 petitioners that their representations dated 06.11.2016 and 30.12.2017 seeking for issuance of Patta in respect of the property, comprised in Survey No.196/4 of Kottapattinam Village, Manamelkudi Taluk, Pudukottai District, based on the proceedings of the first respondent made in Na.Ka.E2/611/2015 dated 27.02.2015, has not been considered by the respondents 2 and 3 till date and therefore, they have filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representations made by the petitioners. 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 petitioners' representations 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 petitioners' representation dated 06.11.2016 and 30.12.2017 on its own merits and take further action in accordance with law, within a period of three months 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 petitioners as well as to the 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 (CS-I)



To:

1. The District Collector,
Pudukottai District,
Pudukottai.

2. The Thasildar,
Manamelkudi Taluk,
Manamelkudi,
Pudukottai District.

+ 19 CC TO Mr.I.VEL PRADEEP, ADVOCATE IN SR No. 74977

KRK

TE/RP/SAR-1 : 02/08/2018 : 3P/22C

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