



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.07.2018
CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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W.P.(MD)No.16402 of 2018

Nalini Amma

: Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

3.The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

4.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

5.The Special Officer,
Muzhucode Panchayat,
Vilavancode Taluk,
Kanyakumari District.

6.The Village Administrative Officer,
Vellamcode Village,
Vilavancode Taluk,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents herein to consider and take appropriate action on the petitioner's representation dated 17.07.2018 to rectify the mistake committed while updating the registry and conducting resurvey without any notice by erroneously changed the nature of classification from private patta land to as a road poromboke of an extent of 9 cents in resurvey No.85/10 old survey No.3224, 3225 of Vellamcode Village, Arumanai Post, Vilavancode Taluk, Kanyakumari District and issue patta within a stipulated time as that may be fixed by this Court.

For Petitioner

: Mr.M.Lingadurai

For Respondents

: Mr.J.Gunaseelanmuthiah

**ORDER**

Heard Mr.M.Lingadurai, learned counsel appearing for the petitioner, Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader, who takes notice on behalf of the respondents.

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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, to rectify the mistake committed while updating the registry by erroneously changed the nature of classification from private patta land to as a road poromboke of an extent of 9 cents and issue patta within a stipulated time, has not been considered by the respondents till date and therefore, 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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 fourth respondent to consider the petitioner's representation, 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 made, after conducting enquiry as well as giving notice to the petitioner as well as any other persons, who may be interested in the subject property. The petitioner is also granted liberty to furnish additional representations along with necessary enclosure s.

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 Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Kanyakumari District,
Nagercoil.



2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

3.The Revenue Divisional Officer,
Padmanabhapuram,
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4.The Tahsildar,
Vilavancode Taluk,
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Kanyakumari District.

6.The Village Administrative Officer,
Vellamcode Village,
Vilavancode Taluk,
Kanyakumari District.

+1CC to Mr.M.Linga Durai Advocate in SR.No.75987.

+1CC to The Special Government Pleader in SR.No.75541.

RMK

DS/SKN-RSK/SAR-2 :02.08.2018: 3P/9C

W.P. (MD) No.16402 of 2018
27.07.2018