



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.16500 of 2018

Pappushan

... Petitioner

vs.

1. The District Collector,
Nagercoil.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Padmanabapuram, Thuckalay.

3. The Tahsildhar,
Vilavangkadu Taluk,
Kulithurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to grant patta to the petitioner for the land situated in Survey No.D6-26 by considering the petitioner's representation dated 16.06.2017 and 10.07.2018 in the light of the proceedings of the 2nd respondent dated 23.08.2017.

For Petitioner : Mr.R.Maheswaran

For Respondents: Mr.J.Gunaseelanmuthiah

Additional Government Pleader

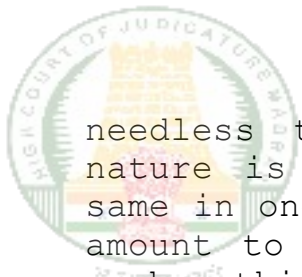
O R D E R

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 representations dated 16.06.2017 and 10.07.2018, seeking for issuance of patta, has not been considered by the third respondent 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 third respondent to consider the petitioner's representations dated 16.06.2017 and 10.07.2018, in the light of the recommendation of the second respondent proceeding dated 23.08.2017, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also directed to furnish a copy of the said representation to the third respondent.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

To:

1. The District Collector,
Nagercoil.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Padmanabapuram, Thuckalay.
3. The Tahsildhar,
Vilavangkadu Taluk,
Kulithurai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 75515
+ 1 CC TO Mr.R.MAHESWARAN, ADVOCATE IN SR No. 75099

SJI
TE/RP/SAR-4 : 07/08/2018 : 2P/6C

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