



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.16522 of 2018

R.Anandaraaj

... Petitioner

vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar.

3. The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the third respondent to include the name of Ramasamy Reddiar or his legal heirs along with Pappammal and Seethalakshmi in the Patta No.1704 relating to Survey No.54/5B and Bypass No.1099 of K.Karisalkulam Village, Virudhunagar District rectifying the defect in the revenue records based on petitioner's representation dated 09.03.2017.

For Petitioner : Mr.D.Ghandiraj

For Respondents: Mr.N.Shanmuga Selvam

Additional Government Pleader

O R D E R

Mr.N.Shanmuga Selvam, 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 representation dated 09.03.2017 seeking to include the name of Ramasamy Reddiar or his legal heirs along with Pappammal and Seethalakshmi by rectifying the defect in the revenue records, 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 third respondent to consider the petitioner's representation dated 09.03.2017 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 conducting enquiry and giving due opportunity to the petitioner 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.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-IV)

To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Aruppukottai, Virudhunagar.
3. The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

+ 1 CC TO Mr.D.GANDHIRAJ, ADVOCATE IN SR No. 75754

RMK

TE/RP/SAR-4 : 07/08/2018 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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