



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.16601 of 2018

R.Vijayalakshmi

... Petitioner

vs.

1.The Sub Collector,
Tuticorin District,
Tuticorin.

2.The Tahsildar,
Srivaigundam Taluk,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to consider the representation of the petitioner dated 21.09.2015 for issuing patta in Survey No.25/B2E situated at Korkai Village, Srivaigundam Taluk, Tuticorin District in the name of the petitioner.

For Petitioner : Mr.M.Veilkaniraju

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 her representation dated 21.09.2015 seeking to issue patta in her favour, 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 second respondent to consider the petitioner's representation dated 21.09.2015 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 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(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1.The Sub Collector,
Tuticorin District,
Tuticorin.

2.The Tahsildar,
Srivaigundam Taluk,
Tuticorin District.

+1cc to M/S.M.Veilkaniraju, Advocate SR.No. 76043

+1cc to Special Government Pleader, SR.No. 75511

W.P. (MD) No.16601 of 2018

27.07.2018

rmk

JM/SKN RSK/SAR 4/07.08.2018/2P/5C