

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.16704 of 2018****WEB COPY**

U.Kandhasamy

... Petitioner

vs.

1. The District Revenue Officer
Office of the District Collectorate
Dindigul

2. The Tahsildar
Ottanchathiram Taluk
Dindigul District

3. A.Balakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents 1 and 2 to change the patta in favour of the petitioner's name in respect of the punja land comprised in survey Nos.233/1,233/2B,235/1B, 235/2A,235/3A1, 235/3A2, 235/4A,235/4B,236/2A/236/2B situated at Thangachi Ammapatti Village, Ottanchathiram Taluk, Dindigul District on the basis of the petitioner's representation dated 16.12.2016 and 05.01.2017 within a time frame to be stipulated by this Court.

For Petitioner : Mr.S.Karthik
For Respondents
No.1 and 2 : 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 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 16.12.2016 and 05.01.2017 seeking to change patta in respect of the punja land comprised in survey Nos.233/1,233/2B,235/1B, 235/2A,235/3A1, 235/3A2, 235/4A,235/4B,236/2A/236/2B situated at Thangachi Ammapatti Village, Ottanchathiram Taluk, Dindigul District has not been



considered by the second 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 second respondent to consider the petitioner's representations dated 16.12.2016 and 05.01.2017 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 as well as to the third respondent 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(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1. The District Revenue Officer
Office of the District Collectorate
Dindigul
2. The Tahsildar
Ottanchathiram Taluk
Dindigul District.

+1cc to Mr.S.Karthik, Advocate Sr.No.75875

AAV

VB/KAK/SAR4/10.08.2018/2P/4C

W.P. (MD) No.16704 of 2018
30.07.2018