



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16863 of 2018

WEB COPY

Nagalingam

... Petitioner

vs.

1. The District Collector
Ramanathapuram
Ramanathapuram District

2. The Thasildar
Taluk Office
Thiruvadanai Taluk
Ramanathapuram District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to give Patta bearing Survey No.356/2B Part for an extent of 10 Cents on the strength of assignment patta and decree in O.S.No.7 of 1992 dated 16.12.1992 in Kavanoor Village, Thiruvadanai Taluk, Ramanathapuram District and to consider the petitioner's representation dated 28.12.2017.

For Petitioner : Mr.J.M.Hassanul Bazari
For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

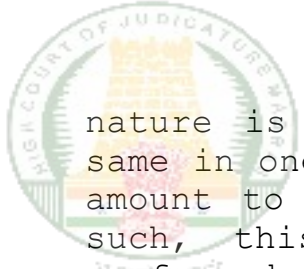
O R D E R

Mr.N.Shanmugaselvam, 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 28.12.2017 seeking for issuance of Patta in his favour in respect of the property comprised in Survey No.356/2B Part, measuring an extent of 10 Cents, of Kavanoor Village, Thiruvadanai Taluk, Ramanathapuram District, on the basis of the assignment Patta and decree in O.S.No.7 of 1992 dated 16.12.1992, 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 28.12.2017 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 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-III)

To

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.
2. The Thasildar,
Taluk Office,
Thiruvadanai Taluk,
Ramanathapuram District.

+1cc to Mr.J.M.Hassanul Bazari, Advocate SR.No.75827
Krk
MK/RP/SAR 3/13.08.2018/2P/4C

W.P. (MD) No.16863 of 2018
31.07.2018