



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.16946 of 2018

WEB COPY

P. Periyampillai

... Petitioner

vs.

1. The District Revenue Officer,
Sivagangai District.

2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3. The Tahsildar,
Singampunari Taluk Office,
Sivagangai District.

4. M. Sethu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, seeking direction to consider petitioner's representation dated 19.07.2018 and pass orders for transfer of Patta in petitioner's name which is wrongly issued in favour of Mr.Sethu S/o.Machakalai under UDR Scheme in respect of the property comprised in Survey No.164/13 an extent of 10 cents out of 22 cents situated at A. Kalapoor Village, Singampunari Taluk, Sivagangai District.

For Petitioner : Mr.R. Murugan

For Respondents-1 to 3 : Mr.J. Gunaseelanmuthiah,
Additional Government Pleader.

O R D E R

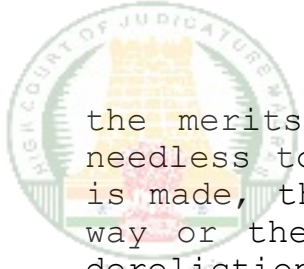
Mr.J. Gunaseelanmuthiah, learned Additional Government Pleader, takes notice for the respondents-1 to 3. Notice to the respondent-4 is dispensed with in view of nature of the order to be passed by this Court.

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 representation dated 19.07.2018 seeking transfer of Patta in petitioner's name which is wrongly issued in favour of Mr.Sethu S/o.Machakalai under UDR Scheme, has not been considered by the respondent-1 till date and therefore, he has filed the present writ petition.

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

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 1st respondent to consider the petitioner's representation dated 19.07.2018 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 respondent-4 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 (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The District Revenue Officer,
Sivagangai District.
2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Singampunari Taluk Office,
Sivagangai District.

+1CC TO MR.R.MURUGAN, ADVOCATE IN SR.No.76143.

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.No.76592.

KSA

DS RSK SAR-2;03.09.2018; 2P/6C

W.P. (MD) No.16946 of 2018

01.08.2018