



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No. 17086 of 2018

Ponnuchamy

... Petitioner

vs.

1. The District Collector,
Trichy District.

2. The Tahsildar,
Adi Dravidar Welfare Department,
Office of the Adi Dravidar Welfare Department,
Trichy, Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to grant patta in the name of petitioner in view of petitioner's continuous possession and enjoyment of the natham land comprised in S.No.132/8 Survey No.132/28 Thottiyapatti Village, Marungapuri Taluk, Trichy District by considering the petitioner's representation dated 16.12.2017.

For Petitioner : Mr.B. Jameel Arasu

For Respondents: Mr.J. Gunaseelanmuthiah

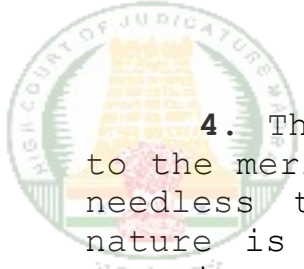
Additional Government Pleader

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 his representation dated 16.12.2017 seeking to grant patta in the name of petitioner in view of petitioner's continuous possession and enjoyment of the natham land, has not been considered by the respondent-2 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 2nd respondent to consider the petitioner's representation dated 16.12.2017 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 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-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The District Collector,
Trichy District.
2. The Tahsildar,
Adi Dravidar Welfare Department,
Office of the Adi Dravidar Welfare Department,
Trichy, Trichy District.

+ 1 CC TO Mr.B.JAMEEL ARASU, ADVOCATE IN SR No. 76420
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76595

KSA

TE/RP/SAR-1 : 03/09/2018 : 2P/5C

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