

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 02.08.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****W.P. (MD) No.17149 of 2018****and****W.M.P (MD) No.15081 of 2018**

1. Asai Thambi
2. Murugan
3. Chinnasamy
4. P.Raja
5. Rengaraj
6. Kalyani
7. Marimuthu
8. A.Revathi

... Petitioners

vs.

1. The District Collector
Office of the District Collector
Tiruchirapalli
2. The Tahsildhar
Office of the Taluk Office
Trichy East, Trichy
3. The Commissioner
Trichy Corporation
Trichy
- 4 The Assistant Commissioner
Ariyamangalam Zone
Trichirapalli Corporation
Trichy City

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the first and second respondents to grant patta in favour of the petitioners by considering their long possession and enjoyment on the basis of the representation given by the petitioners dated 16.07.2018.

For Petitioners: Mr.B.Jameel Arasu

For Respondents

No. 1 and 2 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

No.3 and 4 : Mr.N.S.Karthikeyan

**ORDER**

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice for the respondents 1 and 2. Mr. N.S Karthikeyan learned counsel takes notices for third and fourth respondent.

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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 petitioners that their representation dated 16.07.2018 seeking to grant patta in their favour , has not been considered by the second respondent till date and therefore, they have 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 petitioners. 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 petitioners representation dated 16.07.2018 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 petitioners as well as to any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The District Collector
Office of the District Collector

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



2. The Tahsildhar
Office of the Taluk Office
Trichy East, Trichy.

+1cc to Mr.B.Jameel Arasu, Advocate Sr.No.76849
+1cc to Mr.N.S.Karthikeyan, Advocate Sr.No.76498
+1cc to Spl.Government Pleader Sr.No.77040

AAV

VB/RP/SAR3/14.08.2018/3P/6C

W.P. (MD) No.17149 of 2018
and
W.M.P (MD) No.15081 of 2018
02.08.2018