

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 02.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.17259 of 2018****WEB COPY**

Suseela

... Petitioner

vs.

1. The District Collector
Kanyakumari District
at Nagercoil

2. The Revenue Divisional Officer
Kalliyoor
Kanyakumari District

3. The Tahsildhar
Vilvancode Taluk
Kanyakumari District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to assign the property in survey No.454/19 and 17 admeasuring 2 cents in Nattalam Village, Vilanvoncode Taluk, Kanyakumari District in favour of the petitioner and issue patta by considering the representation of the petitioner dated 22.06.2018

For Petitioner : Mr.S.C.Herold Singh

For Respondents: Mr.N.Shanmuga Selvam

Additional Government Pleader

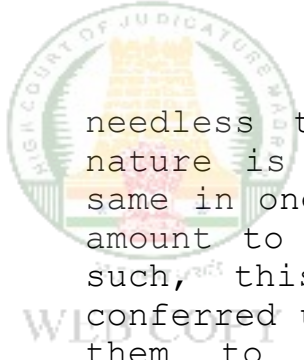
O R D E R

Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the respondents.

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 22.06.2018 seeking to assign the property in survey No.454/19 and 17 admeasuring 2 cents in Nattalam Village, Vilanvoncode Taluk, Kanyakumari District in favour of him and issue patta, has not been considered by the third 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 third respondent to consider the petitioner's representation dated 22.06.2018 on its own merits and take further action in accordance with law, within a period of three months 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 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-III)

To:

1. The District Collector
Kanyakumari District
at Nagercoil.
2. The Revenue Divisional Officer
Kalliyoor
Kanyakumari District.
3. The Tahsildhar
Vilvancode Taluk
Kanyakumari District.

+1cc to Mr.S.C.Herold Singh, Advocate Sr.No.76492

AAV

VB/MMS/SAR3/11.08.2018/2P/5C

W.P. (MD) No.17259 of 2018
02.08.2018