

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.17316 of 2018**

P.Aandichamy

... Petitioner

vs.

The Tahsildar
Madurai East Taluk
Y.Othakadai
Madurai District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to consider and to issue patta in Iyan punchai Re-survey no.397/2A to an extent of 32 cents and Iyan punchai Re-survey no.397/2B to an extent of 38 cents and the total extent of 70 cents of the land in Mangulam Village, Madurai East Taluk, Madurai District, based on the petitioner's representation dated 31.05.2017, within a stipulated time fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondent.

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 31.05.2017 seeking for issuance of Patta in his name in respect of the properties comprised in Iyan Punchai Re-survey Nos.397/2A and 397/2B, measuring about 32 Cents and 38 Cents respectively, of Mangulam Village, Madurai East Taluk, Madurai District, has not been considered by the 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 respondent is 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 his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him 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 respondent to consider the petitioner's representation dated 31.05.2017 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 (P&A)

/True Copy/

Sub Assistant Registrar (CS-I)

To:
The Tahsildar,
Madurai East Taluk,
Y.Othakadai,
Madurai District.

+ 1 CC TO Mr.J.JAYAKUMARAN, ADVOCATE IN SR No. 77198
+ 1 CC TO the Special Government Pleader SR No.77455

W.P. (MD) No.17316 of 2018

KRK

TR/SKN/SAR-1 (12/09/2018) :2P/4C