



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No.17403 of 2018

WEB COPY

M.Koodalingam

... Petitioner

vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Tahsildar,
Tahsildar Office,
Kamuthi Taluk,
Ramanathapuram District.

3. R. Shanmuganathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents No.1 and 2 to grant the separate Patta in Survey No.211/1A2 to an extent of 9 ½ cents situated at Udaiyanathapuram, Abiraman Post, Kamudhi Taluk, Ramanathapuram District based on the petitioner's representation dated 26.07.2018 within a time frame to be stipulated by this Court.

For Petitioner : Mr.S.Sivakumar

For R-1 and R-2 : Mr.N.Shamuga Selvam,
Additional Government Pleader.

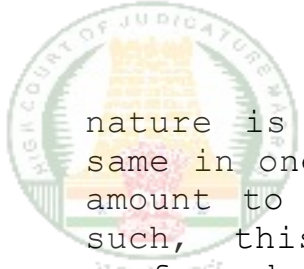
O R D E R

Mr.N.Shamuga 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 26.07.2018, seeking to grant the separate Patta in Survey No.211/1A2 to an extent of 9 ½ cents situated at Udaiyanathapuram, Abiraman Post, Kanudhi Taluk, Ramanathapuram District, has not been considered by the respondents 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 second respondent to consider the petitioner's representation dated 26.07.2018 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 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 (RTI)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
Tahsildar Office,
Kamuthi Taluk,
Ramanathapuram District.

+1cc to Mr.S.Sivakumar, Advocate SR.No.76900
Cp
MK/RP/SAR 1/06.09.2018/2P/4C

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