



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.12502 of 2017

R.Raja Prabhakar

... Petitioner

vs.

1. The District Collector,
Dindugul District, Dindugul.

2. The Tahsildar,
Athur Taluk,
Dindugul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to consider petitioner's application dated 31.05.2017 and grant patta in favour of petitioner to the land situated in S.No.1497/38 and 1497/39, Athur, Athur Taluk, Dindugul District within a stipulated time as prescribed by this Court.

For Petitioner : Mr.A.Chandrakumar
For Respondent : Mr.J.Gunaseelanmuthaiah
Additional Government Pleader

O R D E R

Heard Mr.A.Chandrakumar, learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthaiah, learned Additional Government Pleader, appearing for the respondents.

2. It is the grievance of the petitioner that his application dated 31.05.2017, seeking for grant of patta in favour of the petitioner, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever an application 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 application within a stipulated time.



4. 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 application dated 31.05.2017 on its own merits and take further action in accordance with law, within a period of 12 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 any other persons who may be interested in the subject matter.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The District Collector,
Dindugul District, Dindugul.
2. The Tahsildar,
Athur Taluk,
Dindugul District.

+1 CC to Mr.A.CHANDRAKUMAR, Advocate in SR.No.73164
+1 CC to the Special Government Pleader, SR.No.73679

SJI
RJ/PN/SAR-3/26/07/2018 - 2P/5C

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