



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2019**

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.20499 of 2019

WEB COPY

Marithai

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Tirunelveli District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli District.

3.The Tahsildar,
Thiruvengadam Taluk Office,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to dispose the second respondent office proceedings in vide No.O.Mu. A3/4710/2018, dated 11.08.2018, based on petitioner's representation dated 19.08.2019.

For Petitioner : Mr.P.Ponraj
For Respondents : Mr.B.Bhagawathi
Government Advocate

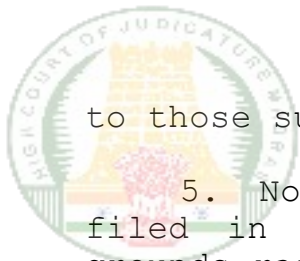
ORDER

Mr.P.Ponraj, learned counsel on record for writ petitioner is before this Court.

2. Mr.B.Bhagawathi, learned Government Advocate, accepts notice on behalf of all three respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 19.08.2019 wherein writ petitioner has sought issue of patta. To be noted, patta has been sought with regard to 9 Survey Numbers. Learned State Counsel, on instructions, submitted that for two, out of nine (9) survey numbers, patta has already been issued. Though obvious, it is made clear that this order pertains



to those survey numbers, for which patta yet to be issued.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the third respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 19.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the third respondent is the authority who shall consider the aforementioned representation dated 19.08.2019 made by the writ petitioner (page Nos.12 and 13 of the typed set of papers forming part of the case file) (To be noted, clean copy is at page Nos.14 and 15 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 19.08.2019 shall be disposed of by the third respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the third respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the third respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the office of the third respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The District Collector,
District Collector Office,
Tirunelveli District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tirunelveli District.

3.The Tahsildar,
Thiruvengadam Taluk Office,
Tirunelveli District.

+1 CC to Mr.P.PONRAJ, Advocate (SR-88737[F] dated 24/09/2019)
+1 CC to spl.GP (SR-89388[F] dated 25/09/2019)

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SS;L

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