



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P (MD)No.21239 of 2019

WEB COPY

Parameshwaran

... Petitioner

/Vs./

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Tahsildar,
Theni, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the third respondent to take appropriate action to dispose the petition in Na.Ka.No.2298/2017/A3 dated 06.2017 within the time frame fixed by this Court on the basis of the petitioner's representation dated 29.10.2018.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.M.Pandiarajan
Additional Government Pleader

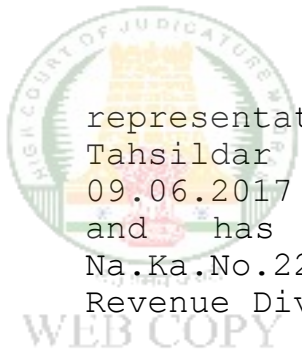
ORDER

Mr.K.Gogul, learned counsel on record for writ petitioner is before this Court.

2. Mr.M.Pandiarajan, learned Additional Government Pleader, 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 representation dated 22.02.2017 given by writ petitioner's mother viz., Mrs.Rajeshwari, wherein the writ petitioner's mother has sought for name change in patta. (to be noted, pursuant to writ petitioner's mother's



representation dated 22.02.2017, third respondent jurisdictional Tahsildar has sent hearing notices signed on 28.04.2017 and 09.06.2017 held in enquiry on 10.05.2017 and 29.06.2017 respectively and has sent a report in November of 2017 bearing Na.Ka.No.2298/2017/A3 to the second respondent namely jurisdictional Revenue Divisional Officer).

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 second respondent is directed to dispose of the aforementioned representation of the writ petitioner's mother, dated 22.02.2017, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 22.02.2017.

7. The aforesaid representation dated 22.02.2017 shall be disposed of by the second 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 second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second 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 second 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. No costs.

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar



To

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Tahsildar,
Theni, Theni District.

+1 CC to M/s.K . GOKUL, Advocate (SR-91456[F] dated 04/10/2019)

+1 CC to M/s.GP (SR-91643[F] dated 09/10/2019)

Order made in
W.P (MD) No.21239 of 2019

Dated:
04.10.2019

JM/23.10.2019/3P/6C