



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.11.2019**

CORAM:

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

W.P(MD)No.23198 of 2019

Balayee

... Petitioner

/Vs./

1. The District Revenue Officer,
Office of the District Revenue Officer,
Pudukkottai District.
2. The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.
3. The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.
4. The Thasildar,
Kulathur Taluk,
Kulathur,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent No.1 to consider and pass orders on the petitioner's petition dated 01.07.2019 within a stipulated time as fixed by this Court after giving opportunity to the persons interested.

For Petitioner : Mr.V.Malaiyendran
For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Mr.V.Malaiyendran, learned counsel on record for writ petitioner is before this Court.

2. Mr.K.Mu.Muthu, learned Additional Government Pleader, accepts notice on behalf of all four 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 01.07.2019 wherein writ petitioner has sought issuance of patta.



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 first respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 01.07.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the first respondent is the authority who shall consider the aforementioned representation dated 01.07.2019 made by the writ petitioner (page No.7 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 01.07.2019 shall be disposed of by the first 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 first respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the first 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. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction. 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 first respondent to the writ petitioner and others concerned if any 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 (P&A)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The District Revenue Officer,
Office of the District Revenue Officer,
Pudukkottai District.

2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

3.The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.

4.The Thasildar,
Kulathur Taluk,
Kulathur,
Pudukkottai District.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-96721[F] dated 07/11/2019
+1 CC to M/s.SPL GP (SR-96942[F] dated 08/11/2019)
sm

SMA/26/11/19/3P/7C

Order made in
W.P (MD) No.23198 of 2019
Dated:07.11.2019