

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.33996 of 2015 and M.P. No.1 of 2015

Malayammal

Petitioner

vs.

- 1 The District Collector
Office of the Collector
Salem, Salem District
- 2 The District Revenue Officer
Salem, Salem District
- 3 The Revenue Divisional Officer
Attur, Attur Taluk
Salem District
- 4 The Tahsildar
(Attur Taluk Officer)
Attur, Attur Taluk
Salem District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the fourth respondent to consider and pass necessary orders on the petitioner's representation dated 03.10.2015.

For petitioner : Mr. J. Muthusamy

For respondents: Mr. P.S. Sivashanmugasundaram
Special Government Pleader

ORDER
(delivered by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the respondents. With consent, the writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner's grievance is that she has made a representation on 05 June 2015 to the first respondent and thereafter, on 03 October 2015 to the respondents, to consider her case for grant of patta for the land in S.No.335/3, Navakkurichi Village, Attur Taluk, Salem District, which has been in her possession for a long period.

3 On a perusal of the documents, we are not in a position to issue any positive direction. However, if a request is made by a citizen of this State, to consider his request for grant of patta, the authorities are under an obligation to consider the same and take a decision on its own merits and in accordance with law.

4 At this juncture, it is worth pointing out that the Government of Tamil Nadu has issued G.O.(Ms.) No.99, Personnel and Administrative Reforms (A) Department dated 21 September 2015, laying down the revised procedures for dealing with grievance petitions submitted by the citizens of the State. The relevant portion of the said Government Order is usefully extracted hereunder:

"3. Accordingly, the following revised procedures issued for dealing with the grievance petition received through online and offline in the Government Offices:

i. An acknowledgement should go immediately and at the most, within three days of the receipt of grievance petitions.

ii. Grievance itself should be redressed within a maximum period of one month of its receipt and it should be with a speaking order in the event of a redressal or rejection if found necessary.

iii The citizens approaching the Government departments with their grievance petitions should be informed of the progress of his/her grievance.

iv In case, for some reason, additional time is required for its finalisation, the person, who has given grievance petition, should be informed in writing for the extended period of time for its finalisation.

v In case, it is not found feasible to accede to his/her request, a reasoned reply may be issued to the aggrieved citizen within the stipulated time limit of one month.

4 All the Government offices are directed to strictly adhere to the above said procedures for dealing with the grievance petition received in the Government offices. All the Government offices are requested to communicate these instructions for compliance to the subordinate offices also."

5 The aforesaid Government Order was placed in W.P.No.25887 of 2015, wherein, a coordinate Bench of this Court, upholding the same, directed the Government authorities to strictly adhere to the procedures set out therein.

6 The learned Special Government Pleader appearing for the respondents submits that the petitioner's representations dated 05 June 2015 and 03 October 2015 will be considered by the authorities on their own merits and in accordance with law, at the earliest, before a decision is taken qua removal of encroachment.

7 In view of the above submission of the learned Special Government Pleader, it is ordered accordingly.

8 The writ petition stands disposed of with the above observation. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

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cad

Sub Assistant Registrar

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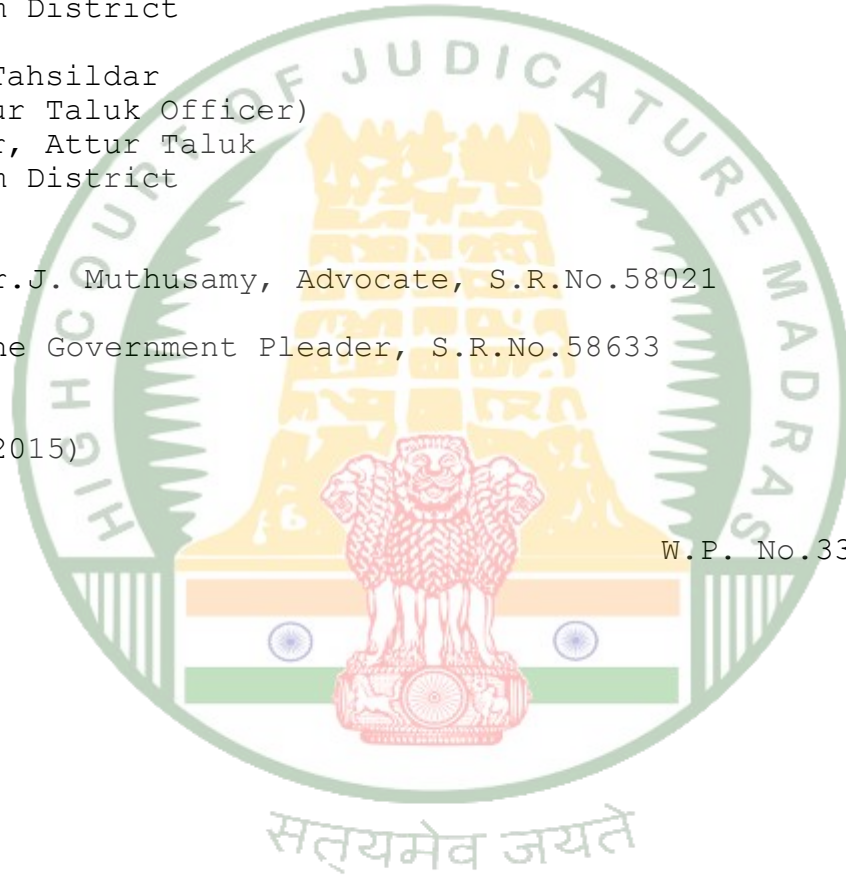
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+1cc to Mr.J. Muthusamy, Advocate, S.R.No.58021

+1cc to the Government Pleader, S.R.No.58633

KGK(CO)
EU(06/11/2015)

W.P. No.33996 of 2015



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