



W.P.No.3692 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**W.P.No.3692 of 2023**

D.Thoplan

...Petitioner

Vs

- 1.The Government of Tamil Nadu,  
represented by its Secretary,  
Adi Dravidar and Tribal Welfare Department,  
Fort St. George,  
Chennai – 600 009.
- 2.The Commissioner of Land Administration,  
Chepauk,  
Chennai – 600 005.
- 3.The Commissioner of Adi Dravidar Welfare,  
Chepauk,  
Chennai – 600 005.
- 4.The District Collector,  
Kallakurichi Distict,  
Kallakurichi.
- 5.The District Adi Dravidar Officer,  
Kallakurichi,  
Kallakurichi District.



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6.The Special Tahsildar,  
Adi Dravida Welfare,  
Ulundurpet,  
Kallakurichi District.

7.The Revenue Divisional Officer,  
Thirukovilur,  
Kallakurichi District.

8.The Revenue Tahsildar,  
Thirukovilur Taluk,  
Kallakurichi District.

9.Pallaniammal

10.Saraswathi

11.Jagathambal

12.Annapoorani

13.Valli

14.Sinthamani

15.Indirani

16.Poongavanam

17.Mottai

18.Indira

19.Malliga

20.Vennila

...Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents, particularly the third respondent to pass appropriate orders on the representation dated 05.01.2023 submitted by the petitioner for cancellation of the patta issued to ineligible beneficiaries.

For Petitioner : Mr.M.Elumalai

For Respondents : Mr.P.Sathish,  
Additional Government Pleader  
for R1 to 8

### **ORDER**

Heard Mr.M.Elumalai, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for respondents 1 to 8.

2.Since this Court is directing the official respondents to consider the petitioner's representation, after giving due notice and opportunity to respondents 9 to 20, notice to respondents 9 to 20 is hereby dispensed with.



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3.The petitioner herein had given a representation dated 05.01.2023 to the third respondent for cancellation of the patta issued to the ineligible beneficiaries. Since the said representation was not considered, the present writ petition has been filed.

4.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5.In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 05.01.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, respondents 9 to



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20 as well as all other persons who may be interested in the subject property, within a period of eight weeks from the date of receipt of a copy of this order.

6.It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondent concerned to consider the same on its own merits.

7.With the above direction, the Writ Petition stands disposed of.

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

vga



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**M.S.RAMESH,J.**

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