



W.P.No.6342 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6342 of 2023 and WMP No.6380 of 2023

- 1.C.Munuswamy
- 2.G.Karthick
- 3.Radha G
- 4.G.Luke Antony
- 5.P.Sankarraj
- 6.R.Meenakshisundaram
- 7.K.Sudhursan
- 8.M.Abdul Rasheed
- 9.D.Magimaidas
- 10.B.Logaparameswari
- 11.P.Subramanian
- 12.Samuel Jose John
- 13.Johnson C
- 14.S.Balasubramanian
- 15.P.Kanagarajan
- 16.B.Uvaneshwari
- 17.J.Sudhan
- 18.M.Maheswaran
- 19.Dhatchinamoorthy
- 20.D.Rajeshwari
- 21.V.Jeyammal
- 22.M.Muniyappan
- 23.P.K.Lalithambika
- 24.Alamelu
- 25.B.Suguna
- 26.D.Karthikeyan
- 27.P.Karpagavalli
- 28.A.Sukumar
- 29.S.Parimala



W.P.No.6342 of 2023

- 30.S.Palanisamy
- 31.G.Latha
- 32.Prabhudas
- 33.P.Vaiyapuri
- 34.Padhmavathi Devaraj
- 35.N.K.Valsalakumari
- 36.Praseedha
- 37.Pravitha
- 38.R.Saravanan
- 39.K.Ganesan
- 40.A.Navamani
- 41.R.Pradeep Kumar
- 42.Kasturi Ramapathran
- 43.Preetha Gobinathan
- 44.G.Suseela
- 45.S.Nalini
- 46.N.Indiralakshmi
- 47.N.Geetha
- 48.N.Nivedhita (Minor represented by mother N.Geetha)
- 49.R.Muruganantham
- 50.V.Poovathal
- 51.R.Gopalakrishnan
- 52.A.Packialakshmi
- 53.K.Geetha
- 54.K.R.Leela
- 55.A.Gopinathan
- 56.K.Poovendran
- 57.Jayanthi Sriram
- 58.K.Jamuna
- 59.N.Gowri
- 60.R.Damodharan
- 61.G.Saradha
- 62.G.Saraswathi

...Petitioners

Vs

1. The District Collector,
Office of the District Collector,
Coimbatore.



W.P.No.6342 of 2023

2. The Revenue Divisional Officer,
RDO Coimbatore North Office,
Venkateshwaran Nagar,
Koundampalayam, Coimbatore

3. The Tahsildar,
Annur Taluk, Coimbatore

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to consider the petitioners' representations dated 09.01.2023 by the petitioners 1,4,5,7-14,16-22,24-50,52,54-59, 61 and 12.01.2023 by the petitioners 23 and 53 and 13.01.2023 by the petitioners 2,3,6,60 and 14.01.2023 by the 51st petitioner and 17.01.2023 by the 15th petitioner and 18.01.2023 by the 62nd petitioner and issue patta to the petitioners on receipt of nominal land value for the petitioners' respective lands in S.F.Nos.473/2A, 2B, 2C, 2D, 2E, 2F and 473/2G1A, Keeranatham village, Sarkar Samakulam Panchayat Union, Coimbatore Taluk, Coimbatore District in accordance with the 1st respondent's proceedings in Na.Ka.No.24077/2013/A4 dated 02.11.2015.

For Petitioner : Mr.Richardson Wilson for
M/s P.Wilson Associates
For Respondents : Mr.P.Sathish
AGP

ORDER

By consent of both the parties, the main writ petition has been taken up for final disposal.



W.P.No.6342 of 2023

2. The petitioners herein have given representations to the third respondent on 09.01.2023 (by the petitioners 1,4,5,7-14,16-22,24-50,52,54-59, 61) 12.01.2023 (by the petitioners 23 and 53) and 13.01.2023 (by the petitioners 2,3,6,60) and 14.01.2023 by the 51st petitioner and 17.01.2023 by the 15th petitioner and 18.01.2023 by the 62nd petitioner seeking for a direction to issue patta to the petitioners on receipt of nominal land value for the petitioners' respective lands in S.F.Nos.473/2A, 2B, 2C, 2D, 2E, 2F and 473/2G1A, Keeranatham village, Sarkar Samakulam Panchayat Union, Coimbatore Taluk, Coimbatore District in accordance with the 1st respondent's proceedings in Na.Ka.No.24077/2013/A4 dated 02.11.2015. Since the representations were not considered, the present writ petition has been filed.

3. 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.



W.P.No.6342 of 2023

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioners' representations dated 09.01.2023 (by the petitioners 1,4,5,7-14,16-22,24-50,52,54-59,61) 12.01.2023 (by the petitioners 23 and 53) and 13.01.2023 (by the petitioners 2,3,6,60) and 14.01.2023 by the 51st petitioner and 17.01.2023 by the 15th petitioner and 18.01.2023 by the 62nd petitioner on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioners and that it is open to the third respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07.03.2023

2/2

Index:Yes/No

Speaking order/Non-speaking order

sr



WEB COPY



W.P.No.6342 of 2023

M.S.RAMESH,J.

SR

To

1. The District Collector,
Office of the District Collector,
Coimbatore.
2. The Revenue Divisional Officer,
RDO Coimbatore North Office,
Venkateshwaran Nagar,
Koundampalayam, Coimbatore
3. The Tahsildar,
Annur Taluk, Coimbatore

W.P.No.6342 of 2023

07.03.2023