



W.P.No.7828 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7828 of 2023

N.Namachivayam

...Petitioner

Vs

1.The District Revenue Officer,
The District Revenue Office,
Nagapattinam, Nagapattinam District.

2.The Revenue Divisional Officer,
Vedaranyam Revenue Divisional Office,
Vedaranyam Taluk,
Nagapattinam District.

3.The Tahsildar,
Vedaranyam Taluk Office,
Vedaranyam Taluk,
Nagapattinam District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to implement the proceeding in Na.Ka.2691/2022/Aa3 dated 23.09.2022 issued by the 2nd respondent and to issue the joint patta to the petitioner name in respect of the property in S.No.24/2, total extended 10 cents and



W.P.No.7828 of 2023

S.No.24/4, total extended 9 cents, which is situated at Voimedu West Village, Vedaranyam Taluk, Nagapattinam District.

For Petitioner : Mr.R.Muruga Bharathi

For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the third respondent on 06.10.2021 to issue a joint patta in his name in respect of the property in S.No.24/2 and S.No.24/4, situated at Voimedu West Village, Vedaranyam Taluk, Nagapattinam District. Thereafter, the first and second respondents had passed orders directing the third respondent to take action on the petitioner's representation. In view of the inaction on the part of the third respondent, the petitioner had sent a legal notice to the respondents on 22.08.2022, subsequent to which, the second respondent had directed the third respondent to initiate action and to submit a report to the second respondent, as well as to the petitioner



W.P.No.7828 of 2023

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herein. The third respondent herein had not passed any orders till date and hence, the petitioner is constrained to move the present Writ Petition.

3. It is needless to point out that whenever a representation is made to a Statutory Authority, there is a duty cast upon him 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.

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the grievance of the petitioner and pass appropriate orders, in the light of the order passed by the second respondent herein dated 23.09.2022, within a period of twelve 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 petitioner and that it is open to the concerned respondent to



W.P.No.7828 of 2023

consider the same on its own merits.

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

No costs.

15.03.2023

Index: Yes/No

Speaking order/Non-speaking order
hvk

To

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Vedaranyam Revenue Divisional Office,
Vedaranyam Taluk,
Nagapattinam District.
3. The Tahsildar,
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W.P.No.7828 of 2023

M.S.RAMESH,J.

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W.P.No.7828 of 2023

15.03.2023