



WEB COPY



W.P.No.9872 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.9872 of 2023

R. Sivagami

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Revenue and Disaster Management Department,
Secretariat, Chennai – 600 009.

2.The District Collector,
District Collectorate,
Tiruvannamalai District,
Tiruvannamalai – 606 604.

3.The District Revenue Officer,
District Collectorate,
Tiruvannamalai District,
Tiruvannamalai – 606 604.

4.The Revenue Divisional Officer,
Cheyyar Revenue Division,
Cheyyar, Tiruvannamalai – 604 407.

5.The Tahsildar,
Vandavasi Taluk,
Vandavasi, Tiruvannamalai – 604 408.

... Respondents



W.P.No.9872 of 2023

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to correct the UDR Patta bearing Patta No.14 and to issue Patta in the name of the petitioner pertaining Survey No.77, to an extent of 7.5 Acres of Punja land, situated at Thazhamballam, Vandavasi Taluk, Tiruvannamalai District, based on the petitioner's representation dated 23.01.2023, within a time to be stipulated by this Court.

For Petitioner : Mr.V. Ramana Reddy

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

ORDER

Mr.P. Sathish, learned Additional Government Pleader, takes notice for the respondents. 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 fourth respondent on 23.01.2023, seeking for correction of UDR Patta bearing



W.P.No.9872 of 2023

Patta No.14 and to issue Patta in the name of the petitioner pertaining Survey No.77, to an extent of 7.5 Acres of Punja land, situated at Thazhamballam, Vandavasi Taluk, Tiruvannamalai District. Since the said representation was 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 them 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, to consider the petitioner's



W.P.No.9872 of 2023

WEB COPY

representation dated 23.01.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons who may be interested in the subject property, within a period of eight (8) 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 consider the same on its own merits.

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

No costs.

30.03.2023

Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Sni



W.P.No.9872 of 2023

WEB COPY

To

- 1.The Principal Secretary to the Government,
Revenue and Disaster Management Department,
Secretariat, Chennai – 600 009.
- 2.The District Collector,
District Collectorate,
Tiruvannamalai District,
Tiruvannamalai – 606 604.
- 3.The District Revenue Officer,
District Collectorate,
Tiruvannamalai District,
Tiruvannamalai – 606 604.
- 4.The Revenue Divisional Officer,
Cheyyar Revenue Division,
Cheyyar, Tiruvannamalai – 604 407.
- 5.The Tahsildar,
Vandavasi Taluk,
Vandavasi, Tiruvannamalai – 604 408.



WEB COPY



W.P.No.9872 of 2023

M.S.RAMESH, J.

Sni

W.P.No.9872 of 2023

30.03.2023