



WEB COPY



W.P.No.10021 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10021 of 2023

S. Madheswari

...Petitioner

Vs

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

2.The Tahsildar,
Kallakurichi,
Kallakurichi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein to restore the online Patta in Patta No.3315 agricultural property situated at New Survey No.382/3A measuring about 30 cents at Veeracholapuram Village, Cuddalore Registration District, Thiyagadurugam Sub Registration Office, Kallakurichi District issued by the 2nd respondent based on the petitioner's representation dated 16.08.2021 within a limited time framed by this Court.



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For Petitioner : Mr.P. Rajavel
For Respondents : M/s.Akila Rajendran,
Government Advocate

ORDER

M/s.Akila Rajendran, learned Government Advocate, takes notice for the respondents. With the consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the respondents on 16.08.2021, to restore the online Patta in Patta No.3315 agricultural property situated at New Survey No.382/3A measuring about 30 cents at Veeracholapuram Village, Cuddalore Registration District, Thiyyagadurugam Sub Registration Office, Kallakurichi 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



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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 second respondent herein to consider the petitioner's representation dated 16.08.2021, 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 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.



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M.S.RAMESH,J.

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

No costs.

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Index: Yes/No

Speaking order/Non-speaking order

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To

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

2.The Tahsildar,
Kallakurichi,
Kallakurichi District.

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