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W.P.No.11480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11480 of 2023

Sakthi

...Petitioner

Vs

1.The District Collector,
Office of the Collectorate,
Tiruvannamalai District.

2.The Tahsildar, Taluk Office,
Keezhpennathur Taluk,
Tiruvannamalai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to restore the patta bearing No.9969 pertaining to the petitioner's property being the land measuring 7 1/2 cents comprised in Survey No.27/4B4, 19 3/4 cents in S.No.28/8B5 and 36 cents in S.No.37/2B2 of Andampallam Village, Keezhpennathur Taluk, Tiruvannamalai District in the respondent's official website.

For Petitioner : Mr.R.Sreedhar

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader



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ORDER

Today the matter has been take up under the caption for "Being Mentioned".

2. Learned counsel for the petitioner brought to the notice of this Court that patta has already been granted, which the respondents have not uploaded in their official website and therefore, the prayer is limited only for restoration of the patta in the website.

3. In the light of the above submission, the earlier order passed by this Court on 17.04.2023 in W.P.No.11480 of 2023 is hereby recalled and the following order is passed:

4. The petitioner has given representations on 22.08.2022 and 24.08.2022, seeking to restore the patta bearing No.9969 pertaining to the petitioner's properties measuring (i) 7 1/2 cents comprised in Survey No.27/4B4, (ii) 19 3/4 cents in S.No.28/8B5 and (iii) 36 cents in S.No.37/2B2 of Andampallam Village, Keezhpennathur Taluk, Tiruvannamalai District in the official website. Since the representations



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are not considered, he has filed the present writ petition.

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5. 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.

6. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representations dated 22.08.2022 and 24.08.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after giving opportunity to all the concerned parties. It is made clear that this Court



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M.S.RAMESH,J.

SR

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 second respondent to consider the same on its own merits.

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

No costs.

28.04.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

To

1.The District Collector,
Office of the Collectorate,
Tiruvannamalai District.

2.The Tahsildar, Taluk Office,
Keezhpennathur Taluk,
Tiruvannamalai District

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