



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.30502 of 2023

and

W.M.P. No.30145 of 2023

D.Navakodi Narayanan

... Petitioner

Vs.

1. The Principal Secretary / Commissioner of
Land Administration (FAC),
Ezhilagam, Chepauk, Chennai - 600 005

2. The Principal Secretary to the Government
Revenue Department
Fort St. George, Chennai - 600 009

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari and Mandamus to call for the records of the 1st respondent in order dated 17.03.2021 vide Proc.No.K1/9802/2020-1 and quash the same to the extent it relates to the observations which are against the rights of the petitioner and consequently direct the 2nd respondent to consider the representations made by the petitioner dated 06.12.2021 & 12.06.2023 and dispose them accordingly.

For Petitioner : Mr.Praveen M

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

**ORDER**

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This Writ Petition is filed seeking to issue a writ of Certiorari Mandamus to call for the records of the 1st respondent in order dated 17.03.2021 vide Proc.No.K1/9802/2020-1 and quash the same to the extent it relates to the observations which are against the rights of the petitioner and consequently direct the 2nd respondent to consider the representations made by the petitioner dated 06.12.2021 & 12.06.2023 and dispose them accordingly.

2. Despite giving sufficient opportunity, the respondents have not filed counter and also not served a copy of the counter to the learned counsel for the writ petitioner. The Government is occupying most of the Court's time and though the Court gave sufficient opportunity to respond to the petitioner's grievance, the Government officials have not given any response to the petitioner's representation and also to the Court.

3. When a representation is made by the litigants/petitioners, the Government Officials are not giving response to them and subsequently,



when they approach the Court, the Court gives time to the Government Officials to file counter/respond. But the Government Officials are not giving response even to the Court. Therefore, all the writ petitions are pending for years together and the litigations/petitioners who are approaching the Court are not able to redress within a reasonable time by one way or other way. Since the Government Officials are getting salary and other emoluments, they are not bothering to the grievance of the citizens. In this case also, despite giving a direction to the respondents, as usual, even after giving sufficient opportunity, the respondents are not ready to file counter.

4. Though the writ petition is filed seeking for a writ of certiorari mandamus, to quash the order dated 17.03.2021 and consequently direct the 2nd respondent to consider the representations made by the petitioner dated 06.12.2021 & 12.06.2023, now the learned counsel for the writ petitioner is not pressing with the prayer of certiorari mandamus to quash the impugned order dated 17.03.2021 and the learned counsel submits that it would be suffice if the respondents consider the petitioner's representation after giving opportunity of hearing to the petitioner, which would serve the purpose. Therefore, the writ petition may be treated as a simple writ of mandamus to



consider the petitioner's representation.

5. Though the respondents have not filed counter and not respond to the Court's direction, the citizens are entitled to get redressal from the Court.

6. Therefore, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondents to consider the representations of the petitioner dated 06.02.2021 and 12.06.2023 and conduct enquiry in the manner known to law after giving notice and opportunity of hearing to the petitioner as well as interested parties/rival claimants if any, and pass orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order, failing which, the Court will take suo motu contempt proceedings against the respondents.

7. With the above directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

27.11.2023

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Index : Yes / No



Speaking Order : Yes / No
Neutral Citation Case : Yes/No

To

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2. The Principal Secretary to the Government
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P.VELMURUGAN. J.

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