



WEB COPY

W.P. No.31790 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.31790 of 2023

D.K.Baskaran

... Petitioner

Vs.

1. The Collector,
Udhagamandalam,
Nilgiris District - 643 001

2. The Tahsildar,
Coonoor Taluk,
Coonoor, Nilgiris

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents more particularly 2nd respondent to expeditiously rectify the revenue records to reflect the name of the petitioner as the owner of 0.04 Acres (4 Cents) in (Old S.No.175) New R.S.No.220/5 of Coonoor Rural Village, Coonoor Taluk, Nilgiris District, and to effect sub division by giving separate survey number in the interest of justice.

For Petitioner : Mr.K.F.Manavalan

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

**ORDER**

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This Writ Petition is filed seeking to issue a writ of Mandamus directing the respondents more particularly the 2nd respondent to expeditiously rectify the revenue records to reflect the name of the petitioner as the owner of 0.04 Acres (4 Cents) in (Old S.No.175) New R.S.No.220/5 of Coonoor Rural Village, Coonoor Taluk, Nilgiris District, and to effect sub division by giving separate survey number.

2. Despite giving opportunity, the respondents are not interested to file counter. The respondents who are the Government Officials as usual with lethargic attitude have not given response to the directions of this Court like any other cases.

3. The contention of the petitioner is that though he made a representation on 25.11.2022 which was received by the 2nd respondent on 12.12.2022 itself, till now, he has not received any response. Therefore, he was constrained to file the present writ petition. Now the petitioner seeks a direction to the 2nd respondent to consider his representation.



4. It is seen that the petitioner has sent the representation dated 25.11.2022 to the 2nd respondent/Tahsildhar through RPAD and the same was acknowledged by the office of the 2nd respondent on 12.12.2022 itself. However, till filing of this writ petition, the 2nd respondent/Tahsildar has not taken any action. Though the respondents have not filed counter, the learned Additional Government Pleader, appearing for the respondents submitted that as per the existing procedure, the petitioner has to make online application with regard to the relief sought for in this writ petition but, he has not done the same.

5. However, when a layman approaches the revenue authorities seeking certain reliefs, it is the duty of the the revenue authorities to guide them in a proper manner. In this case, though the 2nd respondent/Tahsildar has acknowledged the representation of the petitioner on 12.12.2022 itself, he neither gave any reply to his representation nor filed counter even after filing of this writ petition which shows the lethargic attitude of the revenue officials.

6. However, taking into consideration the limited prayer sought for by the petitioner and in view of the present procedure, the petitioner is directed to



make an online application before the 2nd respondent with regard to the relief sought for in this writ petition and on receipt of the same, the 2nd respondent shall consider the same if the application is otherwise in order and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of the online application.

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

06.12.2023

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



W.P. No.31790 of 2



To

1. The Collector,
Udhagamandalam,
Nilgiris District - 643 001

2. The Tahsildar,
Coonoor Taluk,
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WEB COPY

W.P. No.31790 of 2



P.VELMURUGAN. J.

Ksa-2

W.P. No.31790 of 2023

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