



W.P.No.31308 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.11.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.31308 of 2023

Amudha

... Petitioner

Vs

1 The District Collector,
Tiruvallur District,
Master Plan Complex,
NH – 205, Tiruvallur
Pin – 602 001

2 The Tahsildar
Office of Tahsildar
Ambattur
Chennai – 53

3 B.Vanitha

4 B.Kavitha

5 B.Shankar

6 B.Komathikumari

7 B.GanesaPillai



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... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to dispose the petitioner representation dated 20.02.2023 in accordance with law.

For Petitioner : Ms.J.Pavithra

For Respondents : Mr.M.Rajendran R1 and R2
Additional Government Pleader

ORDER

Mr.M.Rajendran, learned Additional Government Pleader accepts notice for R1 and R2 and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission. No notice is thought necessary to private respondents, arrayed as R3 to R7, whose interests are protected by virtue of this order.

2. The petitioner had approached this Court in W.P.No.6 of 2021 seeking a mandamus directing the Tahsildar, Ambattur, Chennai to dispose her representation dated 17.09.2020 in accordance with law. That Writ Petition was disposed on 06.01.2021 recording the consent of the first respondent to pass orders on the representation on merits and a period of twelve weeks was fixed for the same.



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3. Since there was inaction on the part of the respondent, the petitioner has approached this Court alleging contempt in Contempt Petition No.1518 of 2021. That Contempt Petition came to be disposed on 06.01.2022, wherein this Court has recorded the submission of the learned Government Advocate to the effect that if fresh application were submitted by the petitioner seeking inclusion of her name as legal heir for her deceased father Bharathan, orders will be passed to include her name as prayed for by her.

4. After a period of more than a year, the petitioner claims to have sent an application to the District Collector, Thiruvallur on 20.02.2023. Firstly, the petitioner has taken her own sweet time to obtain the benefit granted under order dated 06.01.2022 to even file an application.

5. That apart, the application has been sent to the District Collector and not the Tahsildar. To be noted, that the District Collector was not a party to the first Writ Petition and consequently not in the Contempt Petition. Thirdly, there is only a proof of dispatch of the application and no acknowledgement card is placed on record evidencing receipt of application by the office of the District Collector.

6. Thus, the petitioner is permitted to make a fresh representation before the Tahsildar, Ambattur/R2 within a period of three (3) weeks from date of receipt of a copy of this order. Such application, if received within the time



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Dr.ANITA SUMANTH, J.

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frame as aforesaid, will be disposed by the Tahsildar, Ambattur, after hearing the petitioner as well as R3 to R7, in accordance with law, within a period of four (4) weeks from date of personal hearing.

7. This Writ Petition stands disposed as above. No costs.

sl

01.11.2023

Index : Yes / No

Speaking Order

Neutral Citation: Yes

To

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