



W.P.No.35104 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.35104 of 2022

and

W.M.P.No.34562 of 2022

V.Ramalingam

... Petitioner

Vs.

1. The District Collector,
Tiruppur District,
The Collectorate Office,
Karuppa Gaundanpalayam,
Tiruppur 641 604.

2. The Revenue Divisional Officer,
Udumalpet,
Tiruppur – 642 154.

3. The Executive Engineer,
Public Works Department,
Water Resources Division,
Amaravathi Basin Division,
Dharapuram,
Tiruppur 638 656.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 09.12.2022 and consequently to direct the respondents 1 and 2 to recognise the Sluice Gate in petitioner's land in S.No.234, 233/2B, 232, Thungavi Village, Maduthukulam Taluk, Tirupur District and make necessary changes in the revenue records as per the recommendation of the third respondent in Letter No.Va.A-2/Ko, 17/76(A)"/2016 dated 21.04.2017 and Va.Pa.Va.A-2/Ko, 17/278/2017 dated 21.10.2017.

For Petitioner : Mr.J.Prithivi

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 09.12.2022 and to direct the respondents 1 and 2 to recognise the Sluice Gate in petitioner's land in S.No.234, 233/2B, 232, Thungavi Village, Maduthukulam Taluk, Tirupur District and make necessary changes in



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the revenue records as per the recommendation of the third respondent vide Letter No.Va.A-2/Ko, 17/76(A)"/2016 dated 21.04.2017 and Va.Pa.Va.A-2/Ko, 17/278/2017 dated 21.10.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. On 03.01.2023, when the matter was taken up for hearing, this matter was adjourned for filing counter at the request of the learned Government Advocate appearing for the respondents. Though sufficient opportunity was given to file counter, the respondents have not filed their counter till today. Though the representation made by the petitioner on 09.12.2022, the respondents have not considered the petitioner's representation till today. If a public files any representation, the Government Officials are not considering the same, instead they simply keeping the representation for years together for the reasons best known to them.



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4. Already this Court has passed an order dated 09.06.2023 in a batch of writ petitions in ***W.P.No.262 of 2018 [D.Tulasi Vs. The District Revenue Officer, Dharmapuri] etc.***, and subsequently, a circular dated 17.07.2023 bearing Circular No. R1/2005632/2022 has been issued by the Commissioner of Land Administration. However, the respondents have neither responded to the order of this Court made in ***W.P.No.262 of 2018*** nor to the circular dated 17.07.2023 bearing Circular No.R1/2005632/2022 issued by the Commissioner of Land Administration. This is how Government officials are functioning in a lethargic attitude which is highly condemnable.

5. Since the petitioner has filed the present writ petition seeking for simple mandamus to consider the petitioner's representation dated 09.12.2022, the respondents are directed to consider the petitioner's representation dated 09.12.2022 after giving notice and affording due opportunity of hearing to the writ petitioner, as well as rival claimants / all interested parties, if any and conduct enquiry and dispose the petitioner's representation in the manner known to law. Such exercise



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shall be completed by the respondents within a period of two months from the date of receipt of a copy of this order.

6. Since the respondents are neither giving response to the directions of this Court nor giving response to the petitioner from the year 2022, the respondents 1 to 3 are directed to pay costs of Rs.10,000/- (Rupees Ten Thousand only) each from their salary to the credit of “Medical Officer, Siddha Dispensary, High Court, Madras” within a period of one month from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

06.12.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

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