



W.P.(MD).No.12669 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.12669 of 2023

Nadarajan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Thanjavur – 613 010.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thanjavur – 613 007.
- 3.The Tahsildar,
Office of the Tahsildar,
Orathanadu.
- 4.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

5.Ramanathan

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.3 to survey the petitioner's land in Survey No.157/1A, 165/1 and 165/2 with an total extent of 2 Acres 21 cents and issue separate patta by Sub-Division for the



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above said survey numbers bearing Joint Patta Nos.638, 656, 665 by considering the representation, dated 10.03.2023.

For Petitioner : Mr.K.Praagdeesh Kumar
For R-1 to R-4 : Mr.M.Siddharthan,
Additional Government Pleader

ORDER

Mr.M.Siddharthan, learned Additional Government Pleader takes notice for respondents 1 to 4.

2. In view of the nature of the order going to be passed, notice to the fifth respondent is dispensed with.

3. The petitioner herein had given a representation to the respondents 1 to 4 on 10.03.2023 seeking to survey his land. Since the said representation was not considered, the present Writ Petition has been filed.

4. 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



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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.

5. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 10.03.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court 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 concerned respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

25.05.2023

NCC : Yes / No
Index : Yes / No

pm

3/5



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To

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M.S.RAMESH, J.

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