



W.P.(MD).No.26277 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.26277 of 2024

P.Radha Krishnan

... Petitioner

Vs.

1.The District Collector/Monitoring Committee,
Office of the District Collector,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Paramakudi Revenue Division,
Ramanathapuram District.

3.The Tahsildar
Office of the Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to consider the petitioner's representation dated 10.08.2024 and pass orders in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.N.Senthilnathan

For Respondents : Mr.P.Thilak Kumar

Government Pleader



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ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed for a mandamus to direct the respondents to consider the petitioner's representation dated 10.08.2024 and pass orders in accordance with law within the time stipulated by this Court.

3. The petitioner herein had given a representation to the respondents on 10.08.2024 to cancel the patta in favour of the private individuals in respect of the Government Poramboke Kanmai and remove the encroachment made therein. 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 him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the



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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 the Constitution of the 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 respondents herein to consider the petitioner's representation dated 10.08.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as any other persons, who may be interested in the subject property, within a period of three (3) months 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 matter and that it is open to the concerned respondents 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.

(M.S.R.,J.) (A.D.M.C.,J.)
13.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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A.D.MARIA CLETE,J.

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