



W.P.(MD).No.23813 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.11.2024

CORAM

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

W.P.(MD).No.23813 of 2024

S.Gabriel

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Lalgudi,
Trichy District.

3.The Tahsildar,
Manachanallur Taluk,
Trichy District.

4.The Revenue Inspector,
Kariyamanickam Village,
Manachanallur Taluk,
Trichy District.

5.The Village Administrative Officer,
Konalai Village,
Manachanallur Taluk,
Trichy District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 to restore the petitioner's possession of the land in Survey Nos.207/2 and 208/15 measuring to an extent of 4.29 acres and 1.61 acres respectively situated at Konalai Village, Manchannallur Taluk, Trichy District and issue patta in his name by considering the petitioner's representations dated 05.09.2024 and 09.09.2024.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.S.Shaji Bino

Special Government Pleader

ORDER

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

The present Writ Petition is filed for Mandamus directing the respondents 1 to 3 to restore the petitioner's possession of the land in Survey Nos.207/2 and 208/15 measuring to an extent of 4.29 acres and 1.61 acres respectively situated at Konalai Village, Manchannallur Taluk, Trichy District and issue patta in his name by considering his representations dated 05.09.2024 and 09.09.2024.



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2. The petitioner herein had given a representation to the respondents 1 to 3 on 05.09.2024 to restore his possession in respect of the subject lands and issue patta in his favour. Since the said representation was not considered, the present writ petition has been filed.

3. 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 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.

4. In the light of the above observations, there shall be a direction to the respondents 1 to 3 herein to consider the petitioner's representation dated 05.09.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as



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all 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.

5. 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.)
26.11.2024

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

To

1.The District Collector,
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