



W.P.(MD)No.27271 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.11.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.27271 of 2024

S.Shahul Hameed

... Petitioner

Vs.

1. The Commissioner,
Land Administration,
Chepauk,
Chennai 600 005.
2. The District Collector,
Thanjavur District,
Thanjavur.
3. The Additional Collector (Revenue),
Thanjavur District,
Thanjavur.
4. The District Revenue Officer,
Thanjavur District,
Thanjavur.
5. The Revenue Divisional Officer,
Thanjavur Revenue Division,
Thanjavur District.
6. The Tahsildar,
Orathanadu,
Thanjavur District.



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7. The Village Administrative Officer,
Vengarai Village,
Thanjavur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to rectify the error in Patta No. 289 and issue fresh patta in the petitioner's name in respect of S.No. 936/1, Vengarai Village, Thippan Viduthi, Thiruvonam Sub-Division, Pattukottai Revenue District, Thanjavur District.

For Petitioner : Mr.M.P.Senthil
For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

Mr.R.Ragavendran, learned Government Advocate takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, directing the respondents to rectify the error in Patta No. 289 and issue fresh patta in the petitioner's name in respect of S.No. 936/1, Vengarai Village, Thippan Viduthi, Thiruvonam Sub-Division, Pattukottai Revenue District, Thanjavur District.”



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3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. It is brought to the notice of this Court by the learned counsel appearing for the petitioner that already mutation has been effected in favour of the petitioner by the fifth respondent. Despite the same, the petitioner's requisition for rectification of the error in Patta No. 289 and issue fresh patta in the petitioner's name in respect of S.No. 936/1, Vengarai Village, Thippan Viduthi, Thiruvonam Sub-Division, Pattukottai Revenue District, Thanjavur District was not considered. Hence, the petitioner made a representation on 17.07.2023 requesting the sixth respondent to mutate the patta in his name in respect of the subject property. Since the same has not been considered, this writ petition has been filed.

5. 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 respondent 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 made by the Statutory Authority would



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amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. In view of the same, without going into the merits of this writ petition, this Court hereby direct the sixth respondent to consider the petitioner's representation dated 17.07.2023 and pass appropriate orders on merits and in accordance with law by rectifying the error in Patta No. 289 and issue fresh patta in the petitioner's name in respect of S.No. 936/1, Vengarai Village, Thippan Viduthi, Thiruvonam Sub-Division, Pattukottai Revenue District, Thanjavur District, in line with the recommendation made by the fifth respondent, on 30.09.2022 in this regard, within a period of six weeks from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition stands allowed. There shall be no order as to costs.

15.11.2024

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

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Order made in
W.P.(MD)No.27271 of 2024

Dated
15.11.2024