



W.P.(MD)No.27285 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.27285 of 2024

S.Ramachandran

... Petitioner

Vs.

1. The District Collector,
Sivagangai District, Sivagangai.
2. The District Revenue Officer,
Sivagangai District, Sivagangai.
3. The Revenue Divisional Officer,
Devakottai,
Sivagangai District, Sivagangai.
4. The Thasildar,
Devakottai,
Sivagangai District, Sivagangai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the third respondent to restore the earlier patta No.691 which is a total extent of 0.23.75 ares in Survey No.36 1B Vaagaikudi, Devakottai Division, Sivagangai District by considering the representation of the petitioner dated 18.10.2024.

For Petitioner : Mr.W.Pamelin

For Respondents : Mr.D.S.Negunchezian
Government Advocate



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ORDER

Mr.D.S.Negunchezian, 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 third respondent to restore the earlier patta No.691, measuring to a total extent of 0.23.75 ares in Survey No.36 1B Vaagaikudi, Devakottai Division, Sivagangai District, by considering the representation of the petitioner dated 18.10.2024.”

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

4. The petitioner made a representation to the respondents to restore the earlier patta No.691 in respect of the property comprised in Survey No.36 1B , measuring to an extent of 0.23.75 ares situated at Vaagaikudi, Devakottai Division, Sivagangai District. Since the same has not been considered, this writ petition has been filed.



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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 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 third respondent to consider the petitioner's representation dated 18.10.2024 and pass appropriate orders on merits and in accordance with law, 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.

Sm

TO:-

1. The District Collector,
Sivagangai District, Sivagangai.
2. The District Revenue Officer,
Sivagangai District, Sivagangai.
3. The Revenue Divisional Officer,
Devakottai,
Sivagangai District, Sivagangai.
4. The Thasildar,
Devakottai,
Sivagangai District, Sivagangai.

Order made in
W.P.(MD)No.27285 of 2024

Dated
15.11.2024