



*W.P.(MD)No.27290 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.27290 of 2024

Mareeswari

... Petitioner

Vs.

1. The Revenue Divisional Officer,  
Aruppukottai,  
Virudhunagar District.

2. The Tahsildar,  
Tiruchuli Taluk,  
Virudhunagar District.

3. G.Thirupathy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent herein to dispose of the Appeal filed by the petitioner dated 29.08.2024 pending before him on the basis of Memo of the 1<sup>st</sup> respondent vide Na.Ka.Aa1/L16/386/2024 dated 10.09.2024 within a time stipulated by this Court in accordance with law.

For Petitioner : Mr.Baburajendran

For Respondents : Mr.A.Kannan (R1 & R2)

Additional Government Pleader



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## **ORDER**

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Mr.A.Kannan, learned Additional Government Pleader takes notice for the official respondents. Considering the limited scope of the relief sought for in this writ petition, notice to the third respondent is dispensed with. 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 1<sup>st</sup> respondent herein to dispose of the Appeal filed by the petitioner dated 29.08.2024 pending before him on the basis of Memo of the 1<sup>st</sup> respondent vide Na.Ka.Aa1/L16/386/2024 dated 10.09.2024 within a time stipulated by this Court in accordance with law.”*

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

4. The petitioner has preferred an appeal on 29.08.2024 before the first respondent with respect to mutation of patta. The first respondent has also sent a memo dated 10.09.2024 directing the second respondent to furnish a report in



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this regard. Since the appeal has not been disposed of by the first respondent, ever after lapse of two months from the date of appeal, this writ petition came to be filed.

5. The learned Additional Government Pleader appearing for the official respondents submitted that this Court has already dealt with the similar issue in WP.No.262 of 2018 dated 09.06.2023 and issued certain guidelines in this regard and hence, the respondents will consider the petitioner's appeal in the light of the order passed by this Court in WP.No.262 of 2018 dated 09.06.2023.

6. 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.

7. In view of the same and considering the fact that the period of 60 days has already been lapsed from the date of appeal filed by the petitioner, this



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Court hereby direct the first respondent to dispose of the appeal filed by the petitioner dated 29.08.2024, on merits and in accordance with law, in the light of the order passed by this Court in WP.No.262 of 2018 dated 09.06.2023, within a period of six weeks from the date of receipt of copy of this order.

8. 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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**TO:-**

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2. The Tahsildar,  
Tiruchuli Taluk,  
Virudhunagar District.



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**L.VICTORIA GOWRI, J.**

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Order made in  
W.P.(MD)No.27290 of 2024

Dated  
15.11.2024