



W.P.(MD).No.27470 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.27470 of 2024

Kemiya

... Petitioner

Vs

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Assistant Director,
District Rural Development,
Thanjavur, Thanjavur District.

3. The Block Development Officer,
Block Development Office,
Orathanadu, Thanjavur District.

4. The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

5. The Tahsildar,
Taluk Office, Orathanadu,
Thanjavur District.

6. The Village President,
54 - Ambalapattu South Village Panchayat,
54 - Ambalapattu Village,
Orathanadu Taluk, Thanjavur District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents to put up Thar Road in the petitioner's patta land Survey No.535/1 with an extent of 0.20.0 acres and survey No.532/7 with an extent of 0.11.0 ares situated at 54-Ambalapattu South Village, Orathanadu Taluk, Thanjavur District based on her representation, dated 09.09.2024.

For Petitioner : Mr. C.Padma Raj

For Respondents : Mr.D.S.Neduncheliyan (R1,R2)
Government Advocate

Mr.B.Thambidurai (R3,R4)
Government Advocate

ORDER

The present writ petition has been filed seeking to forbear the respondents from putting up a Thar Road in the petitioner's patta land Survey No.535/1 with an extent of 0.20.0 acres and survey No.532/7 with an extent of 0.11.0 ares situated at 54-Ambalapattu South Village, Orathanadu Taluk, Thanjavur District based on her representation, dated 09.09.2024.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.



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3.Heard, the learned counsel appearing for the petitioner and the learned Government Advocates appearing for the respondents. Perused the materials on record.

4.The plight of the writ petitioner is that the respondents are gearing up to put up a Thar road in the patta land of the petitioner at any point of time. In this regard, the petitioner gave a representation on 09.09.2024 and the same was not considered.

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 respondents 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 Constitution of India and direct the respondents to consider the same within a stipulated time.



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6.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the respondents to consider the representation of the petitioner, dated 09.09.2024 and pass appropriate orders in accordance with law, within a period of four (4) weeks, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

18.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Assistant Director,
District Rural Development,
Thanjavur, Thanjavur District.

3. The Block Development Officer,
Block Development Office,
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4. The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

5. The Tahsildar,
Taluk Office, Orathanadu,
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6. The Village President,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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