



W.P.(MD)No.29293 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.12.2024**

CORAM:

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

W.P.(MD)No.29293 of 2024

D.Thangamani

... Petitioner

Vs.

1. The District Collector,
Trichy,
Trichy District.

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

3. The Tahsildar,
Thiruverumbur,
Trichy District.

4. Mahendran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to cancel the Patta No.417 in Survey No.30/12A to the extent of 0.59.0 ares, situated at Ilanthaippatti Village, Thiruverumbur Taluk, Trichy District, by considering the petitioner's representation dated 08.08.2024.



WEB COPY



W.P.(MD)No.29293 of 2024

For Petitioner : Mr.C.Suresh Kannan
For Respondents : Mr.R.Ragavendran (R1 to R3)
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the respondents 1 to 3 to consider the petitioner's representation dated 08.08.2024 to cancel the Patta No.417 of the fourth respondent in respect of the property in Survey No.30/12A measuring to an extent of 0.59.0 ares, situated at Ilanthaippatti Village, Thiruverumbur Taluk, Trichy District.

2. Considering the limited scope of the relief sought for in this writ petition, notice to the fourth respondent is dispensed with. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

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



W.P.(MD)No.29293 of 2024

4. The petitioner has made a representation dated 08.08.2024 to the official respondents to cancel the patta issued in favour of the fourth respondent. The second respondent has already directed the third respondent to conduct enquiry in this regard. However, the third respondent has not taken a final decision in this regard.

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 the case, this Court hereby direct the respondents 1 to 3 to consider the petitioner's representation dated 08.08.2024 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner and the fourth respondent, within a period of eight weeks from the date of receipt of copy of this order.



W.P.(MD)No.29293 of 2024

WEB COPY

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

06.12.2024

NCC : Yes / No
Index : Yes / No
Sm



W.P.(MD)No.29293 of 2024

TO:-

WEB COPY

1. The District Collector,
Trichy,
Trichy District.
2. The Revenue Divisional Officer,
Trichy,
Trichy District.
3. The Tahsildar,
Thiruverumbur,
Trichy District.



WEB COPY



W.P.(MD)No.29293 of 2024

L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.(MD)No.29293 of 2024

Dated
06.12.2024