



W.P.(MD)No.29377 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.29377 of 2024

V.Pitchaiyammal

... Petitioner

Vs.

1. The District Collector,
Sivagangai District.
2. The District Revenue Officer,
Sivagangai District.
3. The Revenue Divisional Officer,
Sivagangai District.
4. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
5. The Village Administrative Officer,
Kottakudi Village,
Sivagangai District.
6. The Village Administrative Officer,
Vempadhur Village,
Sivagangai District.
7. Irullayee
8. Krishnan
9. K.Dhanapal
10. Mariammal

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent nos. 3 and 4 to conduct enquiry for cancellation of patta issued in favour of the private respondents for the lands in S.no. 122/9, 199/3, 115/22, 116/13, 119/3, 116/4, 119/6, 113/7, 115/2, 122/10, 115/27 and 119/5 at Kottaakudi Group Village, Sivagangai Taluk, Sivagangai District and S.No. 389/8, 395/5, 397/5 and 264 at Vempathur Village, Sivagangai Taluk, Sivagangai District in light of the communication proceedings of the 4th respondent dated 31.07.2024 within stipulated time framed by this Court.

For Petitioner : Mr.G.Kaleeswaran

For Respondents : Mr.A.Kannan (R1 to R6)

Additional Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the respondents 3 and 4 to conduct enquiry for cancellation of patta issued in favour of the private respondents for the lands in S.No. 122/9, 199/3, 115/22, 116/13, 119/3, 116/4, 119/6, 113/7, 115/2, 122/10, 115/27 and 119/5 at Kottaakudi Group Village, Sivagangai Taluk, Sivagangai District and S.No. 389/8, 395/5, 397/5 and 264 at Vempathur Village, Sivagangai Taluk, Sivagangai District in light of the communication proceedings of the 4th respondent dated 31.07.2024.



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2. Considering the limited scope of the relief sought for in this writ petition, notice to the private respondents 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.

4. The petitioner made a representation on 19.06.2024 for the purpose of cancellation of patta issued in favour of the private respondents, since the patta was cancelled without putting the female legal heirs of one Kasikonar, on notice. Since the same is not considered, this writ petition is 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 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.



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6. In view of the same, without going into the merits of the case, this Court hereby direct the official respondents to consider the petitioner's representation dated 19.06.2024 and pass appropriate orders on merits and in accordance with law, after putting the petitioner and the private respondents on notice, within a period of eight weeks from the date of receipt of copy of this order.

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



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L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.(MD)No.29377 of 2024

Dated
06.12.2024