



W.P.(MD)No.1710 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.1710 of 2025

S.Saravanan

: Petitioner

Vs.

1.The District Collector,

O/o. The District Collectorate Office Complex,
Sattur Road,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,

O/o. District Collectorate Office Complex,
Sattur Road,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,

O/o. The Revenue Divisional Officer,
Sattur, Virudhunagar District.



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4.The Revenue Tahsildar,
O/o. The Revenue Tahsildar,
Madurai Road,
Virudhunagar District,
Virudhunagar.

5.The Assistant Director,
Survey and Land Records,
O/o. District Collectorate Office Complex,
Sattur Road,
Virudhunagar District,
Virudhunagar – 626 002.

6.The Revenue Inspector,
O/o. Revenue Inspector,
West Street,
Near Oorani,
Sankaralingapuram Post,
Virudhunagar District – 626 119.

7.R.Meenachikumar

8.S.Mathisankar

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st to 6th respondents to remove the encroachment made by the 7th and 8th respondents on the Government porampoke land comprising in Survey Nos.950 and 1646/2 situated at Sankaralingapuram Village, Ondipulinayakkanoor Revenue, Virudhunagar Taluk and District by considering the petitioner's representation sent to the 1st and 6th respondents dated 14.09.2024, within the time frame as fixed by this Court.

For Petitioner : Mr.L.Prabhu

For Respondents 1 to 6 : Mr.S.R.A.Ramachandran

Additional Government Pleader

ORDER

[Order of the Court was made by **M.S.RAMESH, J.**]

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.



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2.This writ petition has been filed for a Mandamus to direct the official respondents 1st to 6th respondents to remove the encroachment made by the 7th and 8th respondents on the Government porampoke land comprising in Survey Nos.950 and 1646/2 situated at Sankaralingapuram Village, Ondipulinayakkanoor Revenue, Virudhunagar Taluk and District by considering the petitioner's representation sent to the 1st and 6th respondents dated 14.09.2024.

3.Since this Court is directing the respondents 1 to 6 to consider the petitioner's representation, after giving due opportunity to the private respondents herein, notice to the private respondents is hereby dispensed with.

4.The petitioner herein had given representation to the official respondents on 14.09.2024, for removal of the alleged encroachments. Since the said representation was not considered, the present 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 him 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 the Constitution of the India and direct them to consider the same within a stipulated time.

6.In the light of the above observations, there shall be a direction to the respondents 1 to 6 to consider the petitioner's representation dated 14.09.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein and the respondents 7 & 8, as well as all other persons, who may be interested in the subject property, within a period of three [3] months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.



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

[M.S.R.,J.] & [A.D.M.C.,J.]

23.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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ORDER MADE IN

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