



W.P.(MD)No.9585 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9585 of 2025

T.Ahamed Ibrahim, S/o.Thillakhan
Rep. through Power Agent,
Nasartheen, S/o.Aatham

... Petitioner

-VS-

- 1.The District Collector,
O/o. the District Collector,
Ramanathapuram District.
- 2.The District Revenue Officer,
O/o. the District Revenue Officer,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.
- 4.The Tahsildar,
O/o. the Tahsildar, Kadaladi,
Ramanathapuram District.

5.Sathik Batcha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to cancel the New Field Measurement Book (FMB) for the land in Survey 145/3A which is located in



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Naripaiyur, Ramanathapuram District, by considering the representation dated 24.01.2025.

For Petitioner : Mr.S.M.A.Jinnah
For R1 to R4 : Mr.C.Venkatesh Kumar
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to cancel the New Field Measurement Book (FMB) for the land in Survey 145/3A which is located in Naripaiyur, Ramanathapuram District, by considering the representation dated 24.01.2025.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. Since no adverse orders are going to be passed against the fifth respondent, notice to the fifth respondent is hereby dispensed with.

4. Seeking to cancel the FMB illegally altered by the Head Surveyor regarding the petitioner's property, the petitioner submitted a detailed



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representation to the official respondents on 24.01.2025. Since the same has not been considered so far, the petitioner has filed the present writ petition.

5. Heard both sides.

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 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.

7. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 24.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the fifth respondent, as well as all



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other persons, who may be interested in the subject matter, within a period of two months from the date of receipt of a copy of this order. It is also 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 third respondent to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2

07.04.2025

To:-

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O/o. the District Collector,
Ramanathapuram District.
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4.The Tahsildar,
O/o. the Tahsildar, Kadaladi,
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VIVEK KUMAR SINGH, J.

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