

W.P.(MD)No.1530 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.1530 of 2025

Murugaraj

: Petitioner

Vs.

1.The District Collector,
Office of the Collectorate Building,
Thoothukudi District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3.The Tahsildar,
Office of the Tahsildar,
Sathankulam,
Thoothukudi District.

4.Ramaswamy Nadar

: Respondents



W.P.(MD)No.1530 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent to conclude the enquiry based on the petitioner's representation dated 20.01.2024 so as to cancel the patta stands in the name of the fourth respondent vide Patta No.3213 in respect of Survey No.626/1D1 to an extent of 0.1.50 aers at Pallakurichi Village, Sathankulam Taluk, Thoothukudi District within time frame as fixed by this Court.

For Petitioner : Mr.D.S.Haroon Rasheed
For Respondents 1 to 3 : Mr.P.Thilak Kumar
Government Pleader

O R D E R

[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.

2.This writ petition has been filed for a Mandamus to direct the second respondent to conclude the enquiry based on the petitioner's representation dated 20.01.2024 so as to cancel the patta standing in the name of the fourth respondent vide Patta No.3213 in respect of Survey No.626/1D1 to an extent of 0.1.50



W.P.(MD)No.1530 of 2025

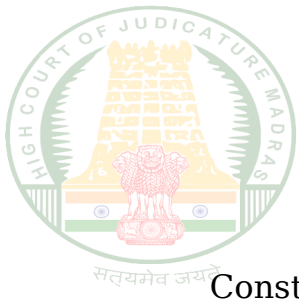
WEB COPY

aers at Pallakurichi Village, Sathankulam Taluk, Thoothukudi District.

3.Since this Court is directing the second respondent to conclude the enquiry, after giving due opportunity to the private respondent herein, notice to the private respondent is hereby dispensed with.

4.The petitioner herein had given a representation to the second respondent on 20.01.2024, for cancellation of the patta standing in the name of the fourth respondent. Since the said representation was not considered, the present writ petition has been 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 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



W.P.(MD)No.1530 of 2025

WEB COPY

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 second respondent herein to conclude the enquiry on the petitioner's representation dated 20.01.2024, on its own merits and to pass final orders in accordance with law, after giving due opportunity to the petitioner herein and the fourth respondent, 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.

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.]

21.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



WEB COPY



W.P.(MD)No.1530 of 2025

To

- 1.The District Collector,
Office of the Collectorate Building,
Thoothukudi District.

- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

- 3.The Tahsildar,
Office of the Tahsildar,
Sathankulam,
Thoothukudi District.



WEB COPY



W.P.(MD)No.1530 of 2025

M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.1530 of 2025

21.01.2025