



W.P.(MD).No.31378 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

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K.Subramani

... Petitioner

Vs.

- 1.The District Collector / Monitoring Committee,
Office of the District Collector,
Dindigul, Dindigul District.
- 2.The Block Development Officer,
Office of the Block Development Officer,
Vedasandur Taluk,
Dindigul District.
- 3.The Divisional Engineer,
National Highways,
Construction and Maintenance Department,
Payanar Viduthi, Palani,
Dindigul Road, Dindigul District.
- 4.The Assistant Divisional Engineer,
National Highways,
Construction and Maintenance Department,
Payanar Viduthi, Vedasandur,
Dindigul District.



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5. The Thasildar,
Office of the Thasildar,
Vedasandur,
Dindigul District.

6. Rajendran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent Nos.1 to 5 to remove the unauthorized construction and to cancel the patta for the Government Purampokku land in Dindigul District, Vedasandur Taluk, Vedasandur (Utkadai) Village Survey No.694/A/2A1A1A1 made by the respondent no.6 by scrutinized the revenue records by considering the representation submitted by the petitioner dated 24.10.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Rajaselvan

For R-1 to R-5 : Mr.S.R.A.Ramachandran

Additional Government Pleader

ORDER

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

2. This Writ Petition has been filed for a Mandamus, directing the respondents 1 to 5 to remove the unauthorized construction and to cancel the



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patta for the Government Purampokku land in Dindigul District, Vendasandur Taluk, Vendasandur (Utkadai) Village Survey No.694/A/2A1A1A1 made by the sixth respondent by scrutinizing the revenue records by considering the representation submitted by the petitioner dated 24.10.2024 in accordance with law within the time stipulated by this Court.

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

4. The petitioner herein had given a representation to the official respondents on 24.10.2024 to remove the unauthorized construction and cancel the patta granted to the sixth respondent for the subject lands. 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



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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 5 herein to consider the petitioner's representation dated 24.10.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the sixth respondent herein, as well as all other persons, who may be interested in the subject matter, 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, the Writ Petition stands disposed of. There shall be no order as to costs.

(M.S.R.,J.) (A.D.M.C.,J.)
06.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

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5. The Thasildar,
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and
A.D.MARIA CLETE,J.

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