



W.P.(MD)No.31351 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.31351 of 2024

Mookkan

... Petitioner

Vs.

1. The District Revenue Officer,
Uthamapalaiyam,
Theni District.

2. The Thasildar,
Uthamapalaiyam,
Theni District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 27.10.2023 to delete the 3rd persons names in the patta in Patta No.939 in respect of Survey Nos.157/1A2, 157/1B2, 157/2A3 situated in Chinna Oovalapuram, Uthamapalaiyam Circle, Theni District within a time stipulated by this Court.

For Petitioner : Mr.I.Velpradeep

For Respondents : Mr.A.Kannan

Additional Government Pleader



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ORDER

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This writ petition has been filed seeking for a direction to the respondents herein to consider the petitioner's representation dated 27.10.2023 to delete the 3rd persons' names in the patta in Patta No.939 in respect of property comprised in S.Nos.157/1A2, 157/1B2, 157/2A3 situated in Chinna Oovalapuram, Uthamapalaiyam Circle, Theni District, within a time stipulated by this Court.

2. 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 27.10.2023 to delete the 3rd persons' names in the patta in Patta No.939 in respect of property comprised in S.Nos.157/1A2, 157/1B2, 157/2A3 situated in Chinna Oovalapuram, Uthamapalaiyam Circle, Theni District. Since the same has not been considered, this 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 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.

6. In view of the same, this Court, without going into the merits of the case, direct the respondents to consider the petitioner's representation dated 27.10.2023 and pass appropriate orders on merits and in accordance with law, within a period of twelve 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.

02.01.2025

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

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TO:-

1. The District Revenue Officer,
Uthamapalaiyam,
Theni District.
2. The Thasildar,
Uthamapalaiyam,
Theni District.

Order made in
W.P.(MD)No.31351 of 2024

Dated
02.01.2025