



W.P.(MD).No.31462 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.31462 of 2024

1.D.Selvaraj

2.Natchatthiram

3.Gunaselvi

4.Anthoniammal

5.D.Bharathidasan

6.Mary

... Petitioners

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli - 627 009.

2.The District Revenue Officer,
Tirunelveli,
Tirunelveli - 627 009.

3.The Revenue Divisional Officer,
Tirunelveli.

4.The Tahsildhar,
Palayamkottai Taluk,
Kokkirakulam,
Tirunelveli -627 009.



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5.M/s.The NIBHI Realtors Private Limited,
Represented by its Director,
S.A.Bhima Raja,
S/o.Sujir Ayyanar Raja,
No.7, New No.13, 5th Cross Street,
C.I.T.Colony,
Mylapore,
Chennai-600 004.

6.M/s.Jones Infrastructure (P)Limited,
Represented by its Director,
M.Jones,
S/o.Manase,
No.2, Moovarasampet Main Road,
Madipakkam,
Chennai - 600 091.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 4th Respondent herein to delete the unrelated names and include the petitioners' name by implementing the order dated 10.10.2014 passed by the 3rd respondent by considering the petitioners' representation dated 09.11.2024 and pass appropriate orders within a time stipulated by this Court.

For Petitioners : Mr.S.A.Ganapathyraman

For R-1 to R-4 : Mr.R.Raghavendar,
Government Advocate



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ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This Writ petition is filed to direct the 4th respondent herein to delete the unrelated names and include the petitioners' name by implementing the order dated 10.10.2014 passed by the 3rd respondent by considering the petitioners' representation dated 09.11.2024.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.The petitioner made a representation on 09.11.2024 to the 4th respondent to delete the unrelated names and include the petitioners' names in the patta pertaining to the land in Survey No.86/1A1A situated at Vijayarahavamudhaliar Chatram Village, Palayamkottai Taluk, Palayamkottai Registration District, Tirunelveli District. However, the same was not considered. Hence, this writ petition is filed.



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5.The learned Government Advocate Mr.R.Raghavendar, appearing for the respondents 1 to 4 submitted that the petitioners' representation would be considered as and when the petitioners submit all the relevant documents in this regard, for which the learned counsel appearing for the petitioners submitted that already all the documents have been submitted and the representation is only to implement the order dated 10.10.2024.

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 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.

7.Without going into the merits of this case, this Court hereby direct the 4th respondent to consider the petitioners' representation and pass appropriate orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



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8. With the above directions, this writ petition is disposed of. No costs.

02.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

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Tirunelveli - 627 009.
2. The District Revenue Officer,
Tirunelveli,
Tirunelveli - 627 009.
3. The Revenue Divisional Officer,
Tirunelveli.
4. The Tahsildhar,
Palayamkottai Taluk,
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L.VICTORIA GOWRI, J.

Sml

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