

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.21169 of 2019

M.Padmaraj

... Petitioner

Versus

1. The Deputy Superintendent of Police,
Economic Offence Wing,
Namakkal.
 2. The Sub Registrar,
Sub Registrar Office,
Rasipuram,
Namakkal District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, seeking direction to the first respondent to give 'No Objection Certificate' to the second respondent in respect of petitioner property in S.F.Nos.109/2B, 109/2A, 106/1B, 102/3, 104/2, 103, 106/3, 107/6, 107/2, 107/3 and 107/5 vide document Nos.2547/14, 4145/16, 5079/14 and 3087/14 respectively situated in Thengalpalayam Village for doing any encumbrance, by considering petitioner representation dated 01.04.2019.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.lyyapparaj
Addl.Public Prosecutor (Crl.Side)

ORDER

The limited prayer sought for in the present Writ Petition is for consideration of the petitioner's representation dated 01.04.2019, wherein the petitioner has sought for "No Objection Certificate" to be issued by the first respondent to the second respondent, in respect of the properties comprised in S.F.Nos.109/2B, 109/2A, 106/1B, 102/3, 104/2, 103, 106/3, 107/6, 107/2, 107/3 and 107/5 vide document Nos.2547/14, 4145/16, 5079/14 and 3087/14 respectively, situated in Thengalpalayam Village.

2. Whenever a representation of this nature has been made to the respondents, a duty is cast upon them to pass an order in one way or other, instead of keeping the petition pending indefinitely. The non-consideration of such representation would amount to dereliction of duty on the part of the statutory authorities and therefore, the petitioner would be justified in invoking Article 226 of Constitution of India.

3. In the light of the above observation, there shall be a direction to the first respondent to consider the petitioner's representation, on merits and pass appropriate orders in accordance with law, as expeditiously as possible, in any event, within a period of four weeks from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No Costs.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

klt/bkn

To

1. The Deputy Superintendent of Police,
Economic Offence Wing,
Namakkal.
2. The Sub Registrar,
Sub Registrar Office,
Rasipuram,
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Marudhachalamurthy, Advocate sr.78575

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nmi (co)
nr 21/10/2019