



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13932 of 2022

Jaiganesh

...Petitioner

Vs

1. The District Registrar
Kancheepuram District
Kancheepuram

2. The Sub-registrar
Kundrathur
Chennai - 600 069

3. V.Arumugam

4. Kokila

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct Respondents 1 and 2 to cancel the settlement deed 12961/2019 and 12962/2019 standing in the name of 3rd and 4th respondents by considering the petitioner's representation dated 26.04.2022.

For Petitioner : Mr.M.Mohamed Riyas

For Respondents : Mr.T.Chezhiyan (for R1 & R2)
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 26.04.2022 seeking cancellation of the settlement deed 12961/2019 and 12962/2019, standing in the name of 3rd and 4th respondents. Since the said representation was not considered, the present writ petition has been filed.



3. 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 respondents 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 Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the 1st respondent herein to consider the petitioner's representation dated 26.04.2022 on its own merits, and pass appropriate orders in accordance with law, after affording due opportunity to the petitioner and respondents 3 and 4, within a period of three 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 claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ars/sri

To

1. The District Registrar
Kancheepuram District
Kancheepuram

2. The Sub-registrar
Kundrathur
Chennai - 600 069

+1cc to Mr.Mohamed Riyas, Advocate, S.R.No.32591

W.P.No.13932 of 2022

MT (CO)
UMA (21/06/2022)