



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.NO.13525 OF 2022
AND
W.M.P.NOS.12721 & 12722 OF 2022

1. Mariyammal
2. R.Parvathi
3. M.Sekar
4. M.Kamala
5. S.Kasthuri
6. G.Kalaiselvi
7. N.Lakshmi

... Petitioners

-Vs-

1. The District Collector,
Chengalpattu,
Chengalpattu District.
2. The Revenue Divisional Officer,
Madhuranthagam,
Chengalpattu District.
3. The Tahsildar,
Cheyyur Taluk,
Chengalpattu District.
4. The Revenue Inspector,
Lathur Block,
Cheyyur Taluk,
Chengalpattu District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession of petitioners and their residential houses, to an extent of 0.03



cents, situated at Survey No.178/3 of Pavunjur Village, Cheyyur Taluk, Chengalpattu District and consequently direct the respondents to reclassify the lands in Survey No.178/3 of Pavunjur Village, Cheyyur Taluk, Chengalpattu District as Natham Land and issue house site patta to the petitioners on par with others by considering the petitioners' representation dated 17.05.2022.

For Petitioners : Mr.M.R.Jothimanian

For Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The petitioners herein had given a representation to the respondents on 17.05.2022 seeking for issuance of house site pattas in favour of each of the petitioners and also for non-interference of the peaceful possession of the petitioners. Since the said representation was not considered, the present writ petition has been filed.

2. 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.

3. In the light of the above observation, there shall be a direction to the respondents herein to consider the petitioners' representation dated 17.05.2022 on its own merits and pass appropriate orders in accordance with law, 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.



4. The petitioners herein claim to be in possession of the lands in Survey No.178/3 of Pavunjur Village, Cheyyur Taluk, Chengalpattu District for more than 60 years. By taking into account their possession over a long period of time, the respondents shall not evict them from the property, till the disposal of the representation.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

hvk

To

1. The District Collector,
Chengalpattu,
Chengalpattu District.
2. The Revenue Divisional Officer,
Madhuranthagam,
Chengalpattu District.
3. The Tahsildar,
Cheyyur Taluk,
Chengalpattu District.
4. The Revenue Inspector,
Lathur Block,
Cheyyur Taluk,
Chengalpattu District.

+1cc to Mr.G.Punniakoti, Advocate, S.R.No.31946

W.P.NO.13525 OF 2022 AND
W.M.P.NOS.12721 & 12722 OF 2022

KJ (CO)
PBS/02/06/2022