



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.13536 of 2022

S.A.Ameen Shah

... Petitioner

Vs.

The Tahsildar,
Sholinganallur Taluk,
Chennai District.

... Respondent

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Mandamus to direct the respondent to make measurement of the petitioner's land measuring 0.37 Cents in S.No.724/3 and as per Patta New Survey No.724/3A1A Part of Pallikkarana Village, Tambaram Taluk (Now Sholinganallur Taluk), Kancheepuram District, as per the Sale Deed dated 09.03.2007 in Document No.1902 of 2007 and to put up boundary stones by considering the petitioner's representation dated 24.02.2022.

For Petitioner : Mr.A.Ilayaperumal

For Respondent : Mr.P.Ganesan

Government Advocate

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 respondent on 24.02.2022 seeking for measurement of his land measuring 0.37 Cents in S.No.724/3A1A Part of Pallikkarana Village, Tambaram Taluk (Now Sholinganallur Taluk), Kancheepuram District, as per the Sale Deed dated 09.03.2007 in document No.1902 of 2007 and to put up boundary stones. 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 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 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 respondent herein to consider the petitioner's representation dated 24.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks 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)

//True Copy//

Sub Assistant Registrar

Dua/Pns
To

The Tahsildar,
Sholinganallur Taluk,
Chennai District.

+1 cc to Mr.A.Ilayaperumal, Advocate Sr.NO. 32035
W.P.No.13536 of 2022

pmk (CO)
A.SK(17/06/2022)