



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14051 of 2022

and

W.M.P.Nos.13293 and 13296 of 2022

S.Chinnasamy

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Office of Revenue Divisional,
Officer, Kallakurichi - 606202.
2. The Revenue Tahsildar,
Kallakurichi Taluk, Kallakurichi District.
3. The District Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi District.
4. The Inspector of Police,
Kachirayapalayam Police Station, Kallakurichi District.
5. The District Collector, District Headquarters,
Kallakurichi District.
6. P.Murugan
7. S.Vadivel
8. T.Karuppapillai
9. P.Sivakumar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to consider the appeal petition dated 07.05.2022 filed before the 1st respondent.

For Petitioner : Mr.E.Hariharan

For R1 to R5 : Mr.E.Vijay Anand
Additional Government Pleader



ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

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2. The petitioner herein had given an appeal petition to the first respondent on 07.05.2022. Since the said appeal petition was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation / appeal petition 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 the 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 first respondent herein to consider the petitioner's appeal petition dated 07.05.2022 on its own merits 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, after giving due opportunity to the persons interested. 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. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Revenue Divisional Officer,
Office of Revenue Divisional,
Officer, Kallakurichi - 606202.



2. The Revenue Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.

3. The District Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi District.

4. The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.

5. The District Collector,
District Headquarters,
Kallakurichi District.

W.P.No.14051 of 2022

GPL (CO)
PR (16/06/2022)