



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.13633 of 2022

S.Malarkodi

...Petitioner

Vs

1.The District Collector,
Salem District.

2.The District Adi Dravida Welfare Officer,
Collectorate, Salem District.

3.The Special Tahsildar,
Adi Dravida Welfare Department,
Attur Taluk Office, Attur,
Salem District - 636102.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first and second respondents to consider the representation dated 17.11.2021, 20.03.2022 and 18.05.2022 made by the petitioner to issue free house site patta as per government scheme to the petitioner and other beneficiaries for the landed property at S.No.215/1, Narasingapuram Village, Attur Taluk, Salem District.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.T.Chezhiyan,
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 representations to the respondents on 17.11.2021, 20.03.2022 and 18.05.2022 seeking to issue free house site patta as per Government scheme. Since the said representations were not considered, the present writ petition has been filed.



3. It is needless to point out that whenever representations of this nature are 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 representations 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 first respondent herein to consider the petitioner's representations dated 17.11.2021, 20.03.2022 and 18.05.2022 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.

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

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

hvk

To

1.The District Collector,
Salem District.

2.The District Adi Dravida Welfare Officer,
Collectorate, Salem District.

3.The Special Tahsildar,
Adi Dravida Welfare Department,
Attur Taluk Office, Attur,
Salem District - 636102.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.32048

W.P.No.13633 of 2022

KK(CO)
SB(15/06/2022)