



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.13971 of 2022

Mariyappan,

... Petitioner

Vs

1.The Inspector of General,
O/o The Inspector of General,
Registration Department,
No.10, Santhome High Road,
Foreshore Estate,
Chennai - 600 028.

2.The District Registrar,
Krishnagiri District,
Krishnagiri.

3.The Sub Registrar,
SRO, Uthangarai,
Krishnagiri District.

4.Bodiyammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 19.05.2022 and not to register any kind of registration will make by the 4th respondent in Survey No.3/2C, New Sub Division Survey No.3/2C2, S.No.4/1C, measuring about 2.11 Acres, Pappichettipatti Village, Uthangarai Taluk, Krishnagiri District till pending disposal of the petitioner's appeal dated 22.03.2022 on the file of District Collector, Krishnagiri District herein.

For Petitioner : Mr.M.P.Saravanan

For R1 to R3 : Mr.E.Vijay Anand
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 3rd respondent on 19.05.2022 not to register any kind of registration will be made by the 4th respondent in Survey No.3/2C, New Sub Division Survey No.3/2C2, S.No.4/1C, measuring about 2.11 Acres, Pappichettipatti Village, Uthangarai Taluk, Krishnagiri District. 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 3rd respondent herein to consider the petitioner's representation dated 19.05.2022 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

mst

To

1.The Inspector of General,
Registration Department,
No.10, Santhome High Road,
Foreshore Estate,
Chennai - 600 028.



2.The District Registrar,
Krishnagiri District,
Krishnagiri.

3.The Sub Registrar,
SRO, Uthangarai,
Krishnagiri District.

+1cc to Mr.M.P.Saravanan, Advocate, S.R.No.32277

W.P.No.13971 of 2022

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