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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 03.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S. RAMESH

W.P.NO.14124 OF 2022

AND

W.M.P.NO.13352 OF 2022

Varadharaj

...Petitioner

Vs

- 1.The District Collector,
Office of District Collector,
Salem District.
- 2.The Revenue Divisional Officer,
Office of District Collector,
Salem District.
- 3.The Tahsildar,
South Tahsildar Office,
Maniyanur Kondalampatti,
Salem District - 10.
- 4.The Inspector of Police,
Attayampatti,
Salem District.
- 5.MGR @ Chandran
- 6.P.Anbalagan

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct 1 to 3 respondents to consider the petitioner's representation dated 14.05.2022.

For Petitioner : Mr.Karan

For Respondents : Mr.E.Vijay Anand,
Additional Government Pleader
for RR-1 to 4

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 first respondent on 14.05.2022 seeking action against respondents 5 and 6 and for an enquiry into the temple affairs and also with respect to misappropriation and produce proper accounts to the petitioner and to the villagers.

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 first respondent herein to consider the petitioner's representation dated 14.05.2022, after giving due opportunity to respondents 5 and 6, 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. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

grs/asr

To

1. The District Collector,
Office of District Collector,
Salem District.
2. The Revenue Divisional Officer,
Office of District Collector,
Salem District.



3.The Tahsildar,
South Tahsildar Office,
Maniyanur Kondalampatti,
Salem District - 10.

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4.The Inspector of Police,
Attayampatti,
Salem District.

W.P.No.14124 of 2022
and W.M.P.No.13352 of 2022

AJB (CO)
RVM(16/06/2022)