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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2022

CORAM :

THE HON'BLE MR.JUSTICE M.S.RAMESH

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.13826 of 2022

and

WMP.No.13112 of 2022

S.Gowri

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by Secretary to Government
Revenue Department
Fort St. George, Chennai 600 009.
2. The Commissioner of Land Administration
Ezhilagam, Chepauk, Chennai 600 005.
3. The District Collector
Thiruvallur District, Thiruvallur 602 001.
4. The District Revenue Officer
Thiruvallur District, Thiruvallur 602 001.
5. The Tahsildar
Gummudipooni Taluk
Gummudipoondi 601 201.
6. The Assistant Director
Animal Husbandry Department
Ponneri, Thiruvallur District 601 204.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to consider the representation of the petitioner dated 04.05.2022 for reclassification of the land measuring extent of 1800 sq.ft. in Survey No.209 in the Samireddy Kandigai, Pethikuppam Village, Gummudipoondi Taluk, Thiruvallur District, on which the petitioner has constructed a house and accept the



offer of the petitioner to pay the guideline value of the said land to the Government and assign it to her or in the alternative to take over the house of the petitioner and allot an alternative site of 1800 sq.ft. for the value of the house.

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For the Petitioner : Mr.S.Ayyathurai

For the Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader

ORDER

(Order of the Court was made by M.S.Ramesh,J)

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 respondents on 04.05.2022 seeking re-classification of the land in which she has constructed a house. 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 respondents 2 and 3 herein to consider the petitioner's representation dated 04.05.2022 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. Consequently, WMP No.13112 of 2022 is closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

kpl/drm

To:

1. The Secretary to Government
The State of Tamil Nadu
Revenue Department
Fort St. George
Chennai 600 009.
2. The Commissioner of Land Administration
Ezhilagam, Chepauk
Chennai 600 005.
3. The District Collector
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Gummudipoondi 601 201.
6. The Assistant Director
Animal Husbandry Department
Ponneri
Thiruvallur District 601 204.

+1cc to Mr.S.Ayyathurai, Advocate, S.R.No.32000

+1cc to the Government Pleader, S.R.No.32078

W.P.No.13826 of 2022

GPL(CO)
UMA(14/06/2022)