



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2022

Coram

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Writ Petition No.14088 of 2022

M.Sasikumar
S/o.Late.Madhusoodan

.. Petitioner

Vs.

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Tahsildar,
Office of the Tahsildar,
Arani, Thiruvannamalai District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to survey the lands of the petitioner situated in Vannakulam Village, Survey No.185/8 of an extent of 0.10 cents and 0.13 3/4 cents in Arani Taluk, Thiruvannamalai District and embed the survey stones in the said property, thereafter issue patta in respect of the aforesaid lands in favour of the legal heirs of late Madhusudan and Balambiga within the time frame.

For Petitioner	:	Mr.K.Venkateswaran
For Respondents	:	Mr.P.Ganesan
		Government Advocate

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 second respondent on 26.03.2022 to measure the properties and fix the boundary and thereafter transfer the patta in favour of the legal heirs of late Madhusudan and Balambiga. 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 second respondent herein to consider the petitioner's representation dated 26.03.2022 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity of hearing to all the interested parties, 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/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mk/nsa

To

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Tahsildar,
Office of the Tahsildar,
Arani, Thiruvannamalai District.

+1cc to Mr.K.Venkateswaran, Advocate, S.R.No.32094

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NRL[co]
NSK/17/06/2022