



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14036 of 2022

G.Sekar

... Petitioner

Vs.

1.The Revenue Divisional Officer,  
Gobichettipalayam,  
Erode District.

2.The Tahsildar,  
Anthiyur Taluk,  
Erode District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1<sup>st</sup> Respondent to consider and dispose of the Petitioner's appeal No.Na.ka. No.8906 / 2021 /E2 dated 28.12.2021 on his file, in accordance with law within a time limit to be fixed by this Court.

For Petitioner : Mr.M.Vijayaragavan

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 a representation to the first respondent to consider and dispose of the Petitioner's appeal No.Na.ka. No.8906 / 2021 /E2 dated 28.12.2021 pending on its file. Since the said appeal was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation / appeal petition 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 appeal by the Statutory Authority would amount to dereliction of their duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the 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 and dispose of the petitioner's appeal dated 28.12.2021 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) 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-II)

//True Copy//

Sub Assistant Registrar

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To

1.The Revenue Divisional Officer,  
Gobichettipalayam,  
Erode District.

2.The Tahsildar,  
Anthiyur Taluk,  
Erode District.

+1cc to Mr.M.Vijayaragavan, Advocate, S.R.No.32191

W.P.No.14036 of 2022

MT (CO)  
SB(21/06/2022)