



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2022

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P. (MD)No.16068 of 2022

Stephen

... Petitioner

/vs./

1.The Director,
Survey and Settlement,
Chepauk,
Chennai.

2.The Assistant Director of Survey and land Records,
District Survey Office,
Collectorate,
Tirunelveli.

3.The Tahsildar,
Thisayanvilai,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to revoke the suspension order passed by the second respondent in RC.A3/8644/2021 (Survey), dated 03.01.2022, by considering the petitioner's representation dated 06.07.2022 and consequently direct the respondents to pay subsistence allowance to the petitioner.

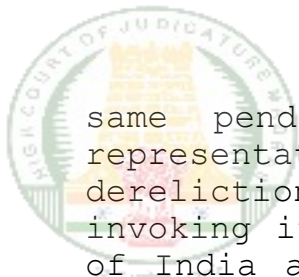
For Petitioner : Mr.P.Samuel Gunasingh
For Respondents : Mr.G.Suriyananth,
Additional Government Pleader

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given representations to the respondents on 16.05.2022 and 06.07.2022 seeking to revoke the suspension order in RC.A3/8644/2021(Survey), dated 03.01.2022. Since the said representations were 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.

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4. In the light of the above observations, there shall be a direction to the **(*) respondents 1 to 3** herein to consider the petitioner's representations dated 16.05.2022 and 06.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) weeks 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. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS I)

**(*)Corrected as per the order of this Court
dated 03.08.2022 made in WP(MD) No.16068 of
2022.**

// True Copy //

/08/2022

Sub Assistant Registrar(CS)

btr/lm

To

To be substituted to the order

1.The Director,
Survey and Settlement,
Chepauk,
Chennai.

2.The Assistant Director of Survey and land Records,
District Survey Office,
Collectorate,
Tirunelveli.

<https://www.mhc.tn.gov.in/judis>



W.P.(MD)N



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3.The Tahsildar,
Thisayanvilai,
Tirunelveli District.

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+1 CC to M/s.SPL.GP (SR-33501[F] dated 25/07/2022)

Order made in
W.P. (MD) No.16068 of 2022

Dated:
22.07.2022

= SS/16/08/2022/ 3P 5C