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W.P.No.9844 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.9844 of 2023
and W.M.P.No.9920 of 2023

- 1.Anbalagan
- 2.Ramasamy
- 3.Nagarajan
- 4.Palaniammal
- 5.Duraisamy
- 6.Kuppusamy
- 7.Kuppan
- 8.Manimekalai
- 9.Thangaraj
- 10.V. Krishnan
- 11.Praveen Kumar
- 12.Perumal
- 13.Venkatachalam
- 14.Periyasamy
- 15.Govindan
- 16.Manimekalai
- 17.Vishvanathanan
- 18.Raja
- 19.Senthil
- 20.Ashokan

... Petitioners

Vs.

- 1.The District Collector,
Dharmapuri District,



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2.The Revenue Divisional Officer/LAO,
O/o. The Revenue Divisional Office,
Harur.

3.The Executive Engineer,
Public Works Department,
(Water Resources Organization),
Mel Pennar Vadi Nila Kottam,
Dharmapuri.

4.The Chief Engineer,
(Water Resources Organization),
Chepauk, Chennai – 600 005.

5.The Principal Secretary,
The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to approve the working sheets forwarded by the 5th respondent in his proceeding Letter No.Thou.1(3)/1103/2000 dated 26.03.2009 and consequently direct the 3rd respondent to disburse the enhanced compensation amount to the petitioners.

For Petitioners : Mr.S. Rameshwaran

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader



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ORDER

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Mr.Yogesh Kannadasan, learned Special Government Pleader, takes notice for the respondents. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition has been filed seeking for a direction to the respondents to approve the working sheets forwarded by the fifth respondent in his proceeding Letter No.Thou.1(3)/1103/2000 dated 26.03.2009 and for a consequential direction to the third respondent to disburse the enhanced compensation amount to the petitioners. In this regard the petitioners herein have given a representation to the respondents on 23.12.2021 and the same has not been considered till date.

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 them 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



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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, to consider the petitioner's representation dated 23.12.2021, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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.
No costs. Connected miscellaneous petition is closed.

30.03.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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To

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Dharmapuri District,
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Harur.
- 3.The Executive Engineer,
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(Water Resources Organization),
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M.S.RAMESH, J.

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