



WEB COPY



W.P.No.6538 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6538 of 2023

Muthamilselvan

...Petitioner

Vs

1. The District Collector,
Office of the Collectorate,
Perambalur-621 212.

2. The Tahsildar,
Kavupalayam Village,
Perambalur Taluk,
Thoramangalam,
Perambalur-621 220

3. Selvakumar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representations made by the petitioner dated 12.07.2021 and 30.07.2022 and cancel the assignment made in favour of the 3rd respondent vide proceedings dated 04.08.2020 in Proceedings No.A2/01/2020.



W.P.No.6538 of 2023

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.P.Sathish
AGP
For R.1 and R.2

ORDER

By consent of both the parties, the main writ petition has been taken up for final disposal.

2. The petitioner herein had given a representations to the first respondent on 12.07.2021 and 30.07.2022 seeking for a direction to cancel the assignment made in favour of the 3rd respondent vide proceedings No.A2/01/2020 dated 04.08.2020. 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



W.P.No.6538 of 2023

WEB COPY

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 first respondent herein to consider the petitioner's representations dated 12.07.2021 and 30.07.2022 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, after giving opportunity to all the concerned parties. 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 first respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

07.03.2023

Index: Yes/No

Speaking order/Non-speaking order

sr



WEB COPY



W.P.No.6538 of 2023

M.S.RAMESH,J.

SR

To

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W.P.No.6538 of 2023

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