



W.P.No.2012 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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D.Dinesh Christopher

...Petitioner

Vs

1.The Government of Tamil Nadu
Rep. By its Secretary,
Revenue Department,
St.George Fort,
Chennai-600 009.

2.The District Collector,
District Collector Office,
Erode District.

3.The Land Acquisition Officer cum
District Revenue Officer,
Erode District.

4.The Revenue Divisional Officer,
Erode District.

5.The Revenue Divisional Officer,
Gobichettypalayam.



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6.The Revenue Divisional Officer,
Bhavani.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to allot alternative land to the petitioner as per the representation dated 05.10.2020 within stipulated time fixed by the Court.

For Petitioner : Mr.R.Gopalakrishnan

For Respondents : Ms.Akila Rajendran
Government Advocate.

ORDER

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

2. The petitioner herein had given a representation dated 05.10.2020 to the respondents, to allot alternative land to him. Since the said representation has not been considered, the present Writ Petition has been filed.



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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 respondents herein to consider the petitioner's representation dated 05.10.2020, after giving due notice and opportunity to the petitioner, as well as any other persons who may be interested in the subject property, within a period of twelve



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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.

16.03.2023

Index:Yes/No
Speaking order/Non-speaking order
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M.S.RAMESH,J.

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