



W.P.No.6954 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6954 of 2023

and

W.M.P.No.7059 of 2023

Mrs.Selvam Aruldas

...Petitioner

Vs

The Tahsildar,
Taluk Office,
Sholinganallur Taluk,
Sholinganallur,
Chennai – 600 119.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pass a considered order on the application given by the petitioner on 23.12.2022 and consequential relief by way of direction directing the respondent to issue patta in favour of the petitioner namely Mrs.Selvam Aruldas, W/o Late. Aruldas residing at Door No.3/188, Govindasamy Nagar, Madipakkam, Chennai – 600 091 pertaining to petitioner property situated at Madipakkam Village and Sholinganallur Taluk, comprised in Survey No.208/5 & 6, Plot No.4 measuring an extent of 2400 sq.ft.



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For Petitioner : Mr.T.Ramachandran

For Respondent : Ms.Akila Rajendran,
Government Advocate

ORDER

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

2. The petitioner herein had given an application to the respondent on 23.12.2022, seeking for issuance of Patta in her favour. Since the said application was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever an application/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 application/representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary



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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 respondent herein to consider the petitioner's application dated 23.12.2022, on its own merits and pass appropriate orders in accordance with law, within a period of four 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 respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands ordered. No costs. Consequently, connected miscellaneous petition is closed.

08.03.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To
The Tahsildar,
Taluk Office,
Sholinganallur Taluk,
Sholinganallur,
Chennai – 600 119.

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