



W.P.No.5038 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5038 of 2023

M.Thangarasu

...Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by its District Collector,
Salem District, Salem - 636 001.

2.The District Revenue Officer,
O/o. District Collector,
Salem - 636 001.

3.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Authoor - 636 102.

4.The Tahsildar,
Thalaivasal Taluk Office,
Thalaivasal - 636 112.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to take suitable action on my representation dated 19.12.2022.



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For Petitioner : Mr.S.Balasubramanian
for Mr.P.Singaram

For Respondents : Mr.D.Ravichander,
Special Government Pleader

ORDER

The relief sought for in this Writ Petition is to direct the first respondent to take suitable action on the petitioner's representation dated 19.12.2022.

2. Even for issuing a direction to dispose of the representation, the petitioner, approaching the High Court, has to establish a right. In the absence of any right, no such direction is to be issued. Mere direction to dispose of the representation would do no service to the cause of justice. Furthermore, it would cause inconvenience to the public authorities to perform their regular public duties. Merely sending a representation without asserting a right would not provide a cause for entertaining a Writ Petition. Contrarily, the authorities will be over burdened and they will have to comply with the orders of the High Court by assigning reasons even without any right to the parties who are approaching the authorities concerned.



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Thus, the primary requirement for entertaining a Writ Petition is to establish a right or infringement of right. In the absence of any right, no writ is entertainable.

3. In the present case, the petitioner states that he is ready to offer his own land for the purpose of laying a road. This is a policy decision to be taken by the Government and this Court cannot issue any direction in this regard. However, the petitioner is at liberty to approach the authorities for the purpose of negotiation or otherwise.

4. With the above liberty, the Writ Petition stands dismissed. No costs.

10.07.2023

Index:Yes
Speaking order/Non-speaking order
hvk



WEB COPY

To

- 1.The District Collector,
Salem District, Salem - 636 001.
- 2.The District Revenue Officer,
O/o. District Collector,
Salem - 636 001.
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S.M.SUBRAMANIAM, J.

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