



WEB COPY



W.P.No.6633 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.6633 of 2023

Ramani

...Petitioner

Vs

1. The District Collector,
Collectorate, GST Road,
Chengalpattu District 603111

2. The Tahsildar,
Maduranthagam,
Chengalpattu District – 603 306

3. The Village Administrative Officer,
Mamandur,
Maduranthagam Taluka,
Chengalpattu District – 603 111

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to measure the property allotted by Government Grama Natham extent 0.550 Are (13 cents) patta No.138 situated in old Survey No.822/5, New Survey No.672/3, No.6, Mamandur Village, Maduranthagam Taluka, Chengalpattu District and fix the boundaries as per Government Record.



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For Petitioner : Mr.S.Jerald Lenin

For Respondents : Mr.P.Sathish
AGP

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 representation to the respondents on 10.10.2022 seeking for a direction to measure the property allotted by Government Grama Natham extent of 0.550 Are (13 cents) patta No.138, situated in old Survey No.822/5, New Survey No.672/3, No.6, Mamandur Village, Maduranthagam Taluka, Chengalpattu District and fix the boundaries as per Government Record. Since the said representation was 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 Statutory Authority would amount to



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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 representation dated 10.10.2022 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 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



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M.S.RAMESH,J.

SR

To

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