



WEB COPY



W.P.No.7959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7959 of 2023

Ashok Kumar

...Petitioner

Vs

1.The District Revenue Officer,
Thiruvallur District.

2.The Revenue Divisional Officer,
Ponneri, Thiruvallur District.

3.The Tashildar,
Ponneri,
Thiruvallur District.

4.Kumaresan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 20.01.2023 for UDR patta corrections.

For Petitioner : Ms.S.Nathiya

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader
for R1 to 3



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ORDER

WEB COPY Heard Ms.S.Nathiya, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for respondents 1 to 3. There is no representation for the fourth respondent.

2.The petitioner herein had given a representation to the first respondent on 20.01.2023 for transfer of patta in his name. 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 him 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.



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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 20.01.2023, on its own merits and pass appropriate orders in accordance with law, after giving notice and due opportunity to the petitioner, the fourth respondent as well as all other persons who may be interested in the subject property, within a period of twelve weeks from the date of receipt of a copy of this order.

5.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.

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

No costs.

17.04.2023

Index:Yes/No

Speaking order/Non-speaking order

vga



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M.S.RAMESH,J.

vga

To

- 1.The District Revenue Officer,
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- 2.The Revenue Divisional Officer,
Ponneri, Thiruvallur District.
- 3.The Tashildar,
Ponneri,
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