



W.P.No.6606 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.6606 of 2023

1.T.R.Murugesan
2.V.Ramabhadra Raju

...Petitioners

Vs

1.The District Collector,
Thiruvallur District,
Thiruvallur.

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

3.The Revenue Divisional Officer,
Thiruvallur, J.N.Road,
Thiruvallur – 602 001.

4.The Tahsildar,
Thiruvallur, J.N.Road,
Thiruvallur – 602 001.

5.The Commissioner,
Thiruvallur Municipality,
J.N.Road, SH-57
Thiruvallur – 602 001.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the entry of Poosthithi Land in the Patta/TSLR and all the relevant revenue records in respect of the petitioners land measuring 10 cents comprised in survey No.633/1, presently No.633/1B2 situated at Periakuppam village, Tiruvallur Taluk, Tiruvallur District and to issue Patta TSLR in the petitioners name with original land classification by considering the petitioners' representation dated 24.11.2022.

For Petitioners : Mr.G.Thalaimutharasu
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

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

2.The petitioners herein had given a joint representation to the third respondent on 24.11.2022, seeking for a direction to cancel the wrong classification of their land as Poosthithi land and to restore their land to its original classification. Since the said representation was not 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 third respondent herein to consider the petitioners' representation dated 24.11.2022 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 petitioners and that it is open to the concerned respondent to consider the same on its own merits.



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5. With the above direction, the Writ Petition stands ordered. No costs.

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Index: Yes/No

Speaking order/Non-speaking order
hvk

To

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M.S.RAMESH,J.

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