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W.P.No.6604 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.6604 of 2023

I.Anthoni Raj

...Petitioner

Vs

1. The Sub Collector,
Virudhachalam,
Cuddalore District
Cuddalore.

2. The Tahsildar,
Virudhachalam Taluk
Cuddalore District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass appropriate order on petitioner's representation dated 16.06.2022 and to depute a competent surveyor to measure and fix the four boundaries of the property comprised in Survey Nos.57/3D, 57/3E, 57/4E, 57/6A measuring to total extent of 32.5 ares situated in Narumanam Village, Kuppanatham P.O., Virudhachalam Taluk, Cuddalore District.

For Petitioner : Mr.M.Elumalai

For Respondents : Mr.P.Sathish
AGP



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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 first respondent on 16.06.2022 seeking for a direction to depute a competent surveyor to measure and fix the four boundaries of the property comprised in Survey Nos.57/3D, 57/3E, 57/4E, 57/6A measuring to total extent of 32.5 ares situated in Narumanam Village, Kuppanatham P.O., Virudhachalam Taluk, Cuddalore District. 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 dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article



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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 16.06.2022 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

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M.S.RAMESH,J.

SR

To

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Virudhachalam,
Cuddalore District
Cuddalore.
2. The Tahsildar,
Virudhachalam Taluk
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