



WEB COPY



W.P.No.9670 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9670 of 2023

Ganthi Kamaraj Social Welfare Foundation
Registration No.980/1996,
Represented by its Chairman,
P.Ganesan, Citizen Guest House,
Door No.103, 1st Floor,
Kondichetty Street, Chennai – 600 001.

...Petitioner

Vs

- 1.State of Tamil Nadu,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Fort St. George, Chennai – 600 009.
- 2.The Commission,
Land Records,
Ezhilagam, Chepauk,
Chennai – 600 005.
- 3.The District Collector,
Chennai District,
Singaravelar Maligai, Rajaji Salai,
Chennai – 600 001.
- 4.The Revenue Divisional Officer,
O/o.Revenue Divisional Office, Nanthanam,
Chennai.



W.P.No.9670 of 2023

5.The Tahsildar,
O/o.The Tahsildar, Saidapet Taluk,
Chennai.

6.The Tahsildar,
O/o.The Tahsildar, Sholinganallur Taluk,
Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 3 and 4 to consider and dispose the petitioner's representation dated 30.04.2022, conduct the enquiry and grant patta for the poor people of the Trust members in land comprised in S.No.231, 707, 574 of Sholiganallur Village, Chennai District.

For Petitioner : Mr.C.Saravanabhavan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

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

2. The petitioner herein had given a representation to the respondents on 30.04.2022 to conduct enquiry and grant Patta to the



W.P.No.9670 of 2023

Trust members in the land comprised in S.No.231, 707, 574 of Shonliganallur Village, Chennai 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 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.

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 30.04.2022, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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



W.P.No.9670 of 2023

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 concerned respondent to consider the same on its own merits.

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

No costs.

29.03.2023

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue order copy on 10.04.2023



W.P.No.9670 of 2023

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W.P.No.9670 of 2023

M.S.RAMESH,J.

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W.P.No.9670 of 2023

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