



W.P.No.7354 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.7354 of 2023

V.Srinivasan Naidu

...Petitioner

Vs

1.The Commissioner of Land Administration,
Chepauk, Chennai – 600 005.

2.The District Collector,
Thiruvallur District,
Thiruvallur.

3.The District Revenue Officer,
Thiruvallur District,
Thiruvallur.

4.The Revenue Divisional Officer,
Thiruvallur,
Thiruvallur District.

5.The Tahsildar,
Thiruvallur Taluk,
Thiruvallur 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



W.P.No.7354 of 2023

orders granting patta in favour of the petitioner in respect of land in S.No.275/8 (53 cents) 275/9 (24 cents) 273/3 (44 cents) and 275/5 (34 cents) Parathur Revenue Village, Thiruvallur Taluk, Thiruvallur District in consideration of representation submitted by the petitioner dated 21.11.2022 and 20.02.2023 on verification of revenue records.

For Petitioner : Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For Respondents : Mr.Yogesh Kanndasan
Special 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 petitioner herein had given representations to the second respondent on 21.11.2022 and 20.02.2023, seeking for a direction to grant patta after due verification of revenue records. Since the said representations were not considered, the present Writ Petition has been filed.



W.P.No.7354 of 2023

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 second respondent to consider the petitioner's representations dated 21.11.2022 and 20.02.2023, 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 concerned respondent to consider the same on its own merits.



W.P.No.7354 of 2023

M.S.RAMESH,J.

hvk

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

08.03.2023

Index: Yes/No
hvk

To

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- 5.The Tahsildar,
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W.P.No.7354 of 2023