



W.P.No.7489 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7489 of 2023

B.S.Syed Ali

...Petitioner

Vs

1.The Commissioner of Land Administration,
Chepauk,
Chennai-600 004.

2.The District Collector,
Krishnagiri District.

3.The Revenue Divisional Office,
Hosur.

4.The Tahsildar,
Soolagiri Taluk,
Krishnagiri.

5.The Commissioner,
Panchayat Union,
Soolagiri.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to provide the petitioner a path for ingress and egress to his agricultural lands



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situated at S.No.126/2B2 at Kamathoti, Soolagiri Taluk, Krishnagiri Village.

For Petitioner : Ms.V.Srimathi

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

Heard Ms.V.Srimathi, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents.

2.The petitioner herein had given a representation to the respondents on 18.08.2022 to provide a path for ingress and egress to his agricultural lands, situated at S.No.126/2B2 at Kamathoti, Soolagiri Taluk, Krishnagiri Village. 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



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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 respondents herein to consider the petitioner's representation dated 18.08.2022, 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 eight 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 concerned respondent to consider the same on its own merits.



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

WEB COPY

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

vga



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M.S.RAMESH,J.

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