



W.P.No.7963 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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Muni Krishnachari

...Petitioner

Vs

1.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

2.The Sub Collector,
Hosur – 635 109,
Krishnagiri District.

3.The Tahsildar,
Hosur Taluk,
Hosur, Krishnagiri District.

4.Sathyanarayanachari

5.Srinivasachari

6.Rajagopalachari

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to consider the petitioner's representation dated 07.02.2023 sent for



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rectifying the mistake which occurred during UDR Scheme in respect of the petitioner and his siblings land measuring 0.15 cents in S.F. No.164/1, situated at Nandimangalam Village, Hosur Taluk, Krishnagiri District, in accordance with law and within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mrs.Akila Rajendran,
Government Advocate
for R1 to 3

No appearance for R4 to 6

ORDER

Heard Mr.K.Govi Ganesan, learned counsel for the petitioner and Mrs.Akila Rajendran, learned Government Advocate for respondents 1 to 3. There is no representation for respondents 4 to 6.

2.The petitioner herein had given a representation to the respondents on 07.02.2023 for rectifying the mistake occurred during UDR Scheme. 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



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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 first respondent herein to consider the petitioner's representation dated 07.02.2023, on its own merits and pass appropriate orders in accordance with law, after giving notice and due opportunity to the petitioner, respondents 4 to 6 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 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 respondent to consider the same on its own merits.



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M.S.RAMESH,J.

vga

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

vga

To

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