



WEB COPY



W.P.No.8231 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8231 of 2023

Abaranji

...Petitioner

Vs

1. The District Revenue Officer,
Collectorate, Thiruvallur District.

2, The Revenue Divisional Officer,
Revenue divisional Office,
Ponneri Division, Thiruvallur District

3. The Tahsildar,
Gummidipoondi Taluk,
Thiruvallur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider petitioner's representation dated 27.01.2023 to take action upon the report submitted by the 3rd respondent in Na.Ka.No.919/2019/A1 dated 13.11.2019 ad 09.03.2022 through 2nd respondent.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.V.Veluchamy
Additional Government Pleader



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ORDER

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2. The petitioner herein had given a representation to the first respondent on 27.01.2023 to take action upon the report submitted by the third respondent in Na.Ka.No.919/2019/A1 dated 13.11.2019 and 09.03.2022. 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 226 of Constitution of India and direct them to consider the same within a stipulated time.



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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 27.01.2013, in the light of the report submitted by the 3rd respondent in Na.Ka.No.919/2019/A1 dated 13.11.2019 dated 09.003.2022, 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 three months 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.

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

No costs.

16.03.2023

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

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