



W.P.No.9086 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.9086 of 2023
and W.M.P.No.9222 of 2023

R.Maharajan

...Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Thiruvarur District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Thiruvarur District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Mannargudi - 614 001,
Thiruvarur District.
- 4.The Special Tahsildar,
Office of the Special Tahsildar,
Land Reforms, Mannargudi,
Thiruvarur District.
- 5.The Tahsildar,
Office of the Tahsildar,
Mannargudi,
Thiruvarur District.



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6.The Commissioner,
Office of the Commissioner,
Mannargudi Municipality,
Mannargudi - 614 001,
Thiruvarur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein not to interfere with the valid title and ownership of the petitioner property in connection with Survey Number:118/1, 118/3 and 119/1 in Block:4, Ward No:I, Mannargudi Town, within the S.R.O of Mannargudi, Thiruvarur Registration District in any manner.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr.V.Veluchamy,
Additional 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 prayer sought for in the present Writ Petition is for a direction to the respondents not to interfere with the title and ownership of the petitioner's property in Survey Number:118/1, 118/3 and 119/1 in



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Block:4, Ward No:I, Mannargudi Town, within the S.R.O of Mannargudi, Thiruvarur Registration District. In this regard, the petitioner had given representations to the sixth respondent on 30.07.2022 and to the second respondent on 15.02.2023. The said representations have not been considered till date.

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 first respondent/District Collector to direct the second respondent/ District Revenue Officer to consider the petitioner's representation dated 15.02.2023, on its own merits and in accordance with law, after giving



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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. 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. Consequently, connected miscellaneous petition is closed.

24.03.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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