



WEB COPY



W.P.No.8239 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.8239 of 2023

Ayyakutty

...Petitioner

Vs

1. The District Registrar,
District Registrar Office,
Kallakurichi,
Kallakurichi District.

2. The Sub Registrar,
Sub Registrar Office,
Chinnaselam,
Kallakurichi District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 27.02.2023 on the file of the respondents.

For Petitioner : Mr.R.Srinivasa Rao

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



W.P.No.8239 of 2023

ORDER

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2. The petitioner herein had given a representation to the respondents on 27.02.2023 seeking to register his property bearing S.No.157/1C2 measuring about 12.1/2 cents and register the document. 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.



W.P.No.8239 of 2023

WEB COPY

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 27.02.2013 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. 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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W.P.No.8239 of 2023

M.S.RAMESH,J.

hvk

To

- 1.The District Registrar,
District Registrar Office,
Kallakurichi,
Kallakurichi District.
2. The Sub Registrar,
Sub Registrar Office,
Chinnaselam,
Kallakurichi District.

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