



W.P.No.8389 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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G.Govindasamy

...Petitioner

Vs

1.The District Collector,
District Collector Office,
Krishnagiri District,
Krishnagiri.

2.The Tahsildar, Office of
the Tahsildar, Krishnagiri,
Krishnagiri District.

3.The Revenue Inspector,
Kaveripattinam,
Krishnagiri District.

4.The Village Administrative Officer,
O/o Village Administrative Officer,
Jagathap Village & Post,
Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd Respondent to dispose of the petitioner's representation dated 26.12.2022 and pass order to fix a pipe line in S.No.392/1 to take water from his well in S.No.396/3



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to his agricultural land in S.Nos.391 and 391/3/3B within a time frame as stipulated.

For Petitioner : Mr.D.Ramesh Kumar
For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner claims that he is having agricultural lands in S.Nos.391/2 and 391/3 and a well in S.No.396/3 and a joint patta has been given in the names of the legal heirs of his grandfather Mr.Manickam. The petitioner herein had given a representation dated 26.12.2022 to the respondents seeking permission to fix a pipeline from his well in S.No.396/3 to his lands in S.Nos.391/2 and 391/3 through the Government poramboke lands in S.No.392/1. Since the said representation has not yet been considered, the above writ petition has been filed.



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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 him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 26.12.2022, 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 twelve 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.



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M.S.RAMESH,J.

RS/SNI

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

No costs.

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Index: Yes/No

Speaking order/Non-speaking order

To

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