



W.P.No.8501 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8501 of 2023

K.Sakthivel

...Petitioner

Vs

1.The District Collector,
Villupuram, Villupuram District.

2.The District Registrar,
Villupuram, Villupuram District.

3.The Tahsildar, Vikiravandi
Taluk, Villupuram District.

4.Mr.Sathiya Prasath,
Sub-Registrar, Vikiravandi
Taluk, Villupuram 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 petitioner's representations dated 07.11.2022 and 10.11.2022 and to seek action of the respondents 1 and 2 to stop further registering any document in respect survey Nos.700 and 702 an extent of 4 acres of land in part of the water body's (lake) situated at Venkateshwara Nagar, Vikkiraandi Town Panchayat, Villupuram District within the stipulated time as may be fixed by this Court.



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For Petitioner : Mr.N.Desingu

For Respondents 1 to 3 : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the official respondents. Since this Court is directing the first respondent to consider the petitioner's representation after giving notice to all the parties concerned, notice to the private respondent is dispensed with.

2. The petitioner, who is a practising advocate, claims that the land comprised in survey Nos.700 and 702 measuring an extent of 4 acres is a part of the water body situated at Venkateshwara Nagar, Vikkiraandi Town Panchayat, Villupuram District. According to him, some forged sale deeds were created and officials like the fourth respondent also registered the same. Earlier, the petitioner gave a complaint to the fourth respondent to stop the illegal registration. However, no action was taken. Hence, the petitioner sent a representation to the first respondent dated 10.11.2022. As nothing was forthcoming, the petitioner is before this



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 first respondent herein to consider the petitioner's representation dated 10.11.2022, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent herein, 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



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M.S.RAMESH,J.

RS/SNI

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.

17.03.2023

Index:Yes/No

Speaking order/Non-speaking order

To

- 1.The District Collector,
Villupuram, Villupuram District.
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- 3.The Tahsildar, Vikiravandi
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