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W.P.No.8773 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.8773 of 2023
and W.M.P.No.8954 of 2023

T. Raghavan

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Thiruvarur District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Mannargudi,
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.



W.P.No.8773 of 2023

5.The Tahsildar,
Office of the Tahsildar,
Mannargudi,
Thiruvarur District.

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 praying 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:113 in block:4, ward no.:I, Mannargudi Town, within the S.R.O. of Mannargudi, Thiruvarur Registration District.

For Petitioner : Mr.S. Kingston Jerold

For Respondents : M/s.Akila Rajendran,
Government Advocate

ORDER

M/s.Akila Rajendran, learned Government Advocate, takes notice for the respondents. With the consent of both the parties, the Writ Petition is taken up for final disposal at the admission stage itself.



W.P.No.8773 of 2023

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2. The petitioner herein had given representation to the respondents on 28.01.2022. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever 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 the 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 respondents herein, to consider the petitioner's representation dated 28.01.2022, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a



W.P.No.8773 of 2023

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 respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands ordered. No costs. Connected miscellaneous petition is closed.

21.03.2023

Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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W.P.No.8773 of 2023

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W.P.No.8773 of 2023

M.S.RAMESH, J.

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W.P.No.8773 of 2023

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