



W.P.No.10087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10087 of 2023

1.G.Dasarathan

2.G.Kalaiselvan

...Petitioners

Vs

1.The Chief Secretary,
Secretariat,
Union Territory of Pondicherry,
Pondicherry.

2.The Director,
Indira Gandhi Medical College
and Research Institute,
Vazhoduvar Road, Kathirkamam,
Puducherry - 605 009.

3.The Chairman,
Perunthalaivar Kamaraj Medical
College, Society,
Kathirkamam, Pondicherry.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay the



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compensation as per their communication dated 02.02.2017 in IGMC & RI/EC/EE-II/F-1/16-17.

For Petitioners : Mr.G.Mohana Krishnan

For Respondents : Mrs.Saratha Vivek,
AGP (Puducherry)

ORDER

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

2. The petitioners herein had given joint representations to the respondents on 05.12.2022, seeking for land acquisition compensation, as per the communication of the second respondent dated 02.02.2017. Since the representations were 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 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,



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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 herein to consider the petitioner's representations dated 05.12.2022, on its own merits and pass appropriate orders in accordance with law, 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.

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Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

- 1.The Chief Secretary,
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