



WEB COPY



W.P.No.10353 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10353 of 2023

R.Masilamani

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Harur Division, Harur,
Dharmapuri District – 636 903.

2.The Tahsildar, Harur Taluk,
Dharmapuri District - 636 903.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to cancel the sub-divisions made in S.No.12/3, Varnatheertham Village, Harur Town, Dharmapuri District by considering the petitioner's representation/appeal dated 30.01.2023 within a time to be stipulated by this Court.

For Petitioner : Mr.J. Bharathi Raja

For Respondents : Mr.V. Veluchamy,
Additional Government Pleader



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ORDER

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

2. The petitioner herein had given a representation to the first respondent on 31.03.2023, seeking to cancel the sub-divisions in S.No.12/3, Varnatheertham Village, Harur Town, Dharmapuri District. 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 them 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.



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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 31.03.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as the other persons who may be interested in the subject property, within a period of twelve (12) 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.

03.04.2023

Speaking order/Non-speaking order

Index: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH,J.

Sni

To

- 1.The Revenue Divisional Officer,
Harur Division, Harur,
Dharmapuri District – 636 903.
- 2.The Tahsildar, Harur Taluk,
Dharmapuri District - 636 903.

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