



WEB COPY



W.P.No.12292 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12292 of 2023 & WMP.No.12128 of 2023

C.Arumugam

...Petitioner

Vs

1.The District Collector,
Chengalpattu District,
Chengalpattu-603001..

2.The District Revenue Officer,
Tambaram, Office of the District
Revenue Officer, Chengalpattu
District, Chengalpattu-600045.

3.The Tahsildar, Tambaram
Taluk Office, Tambaram-600045.

...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 representation dated 13.3.2023 and pass appropriate orders in accordance with law and forbear the respondents from in any manner attempting to disturb the petitioner's peaceful and lawful possession of his property situated at Plot No.5 in Rajammal North Avenue, Near Rajammal Avenue, Madambakkam Village, Tambaram Taluk, Chengalpattu District comprised in Old Survey No.709/2 and New Survey No.709/21A1A.



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For Petitioner : Mr.M.Balakrishnan

For Respondents : Mr.P.Sathish,
Additional Government Pleader

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 has filed this writ petition seeking a direction to the respondents to consider his representation dated 13.3.2023, pass appropriate orders in accordance with law and forbear the respondents from in any manner attempting to disturb the petitioner's peaceful and lawful possession of his property situated at Plot No.5, Rajammal North Avenue, Near Rajammal Avenue, Madambakkam Village, Tambaram Taluk, Chengalpattu District comprised in Old Survey No.709/2 and New Survey No.709/21A1A measuring 2,400 sq.ft.



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3. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, 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 Authorities 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 respondents to consider the petitioner's representation dated 13.3.2023, 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. Consequently, the connected WMP is closed.

21.4.2023

Index:Yes/No

Speaking order/Non-speaking order

To

- 1.The District Collector,
Chengalpattu District,
Chengalpattu-603001..
- 2.The District Revenue Officer,
Tambaram, Office of the District
Revenue Officer, Chengalpattu
District, Chengalpattu-600045.
- 3.The Tahsildar, Tambaram
Taluk Office, Tambaram-600045.

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