



W.P.No.11711 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11711 of 2023

Mahesh Vajravelu

...Petitioner

Vs

1.The District Collector,
Coimbatore District Collectorate Office,
7/1, State Bank Road,
Gopalapuram,
Coimbatore – 641 018.

2.The Rent Authority cum
The Revenue Divisional Officer,
Revenue Division Office,
(North Division),
Kavundampalayam,
Coimbatore – 641 030.

3.K.Sasikala

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents 1 and 2 to consider the petitioner's application dated 12.02.2022 and also consider and pass an order based on the representation dated 15.06.2022, 17.07.2022 and 18.03.2023.



W.P.No.11711 of 2023

For Petitioner : Mr.Gokula Rao N

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader
for R1 and 2

ORDER

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

2.Since this Court is directing the second respondent to consider the petitioner's representation, after giving notice and due opportunity to the third respondent, notice to the third respondent is hereby dispensed with.

3.The petitioner herein had preferred several representations dated 15.06.2022, 17.07.2022 and 18.03.2023 before the respondents for revision of rent amount. Since the said representations were not considered, the present writ petition has been filed.

4.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



W.P.No.11711 of 2023

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.

5.In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 15.06.2022, 17.07.2022 and 18.03.2023, on its own merits and pass appropriate orders in accordance with law, after giving notice and due opportunity to the petitioner, third respondent as well as all other persons, who may be interested in the subject property, within a period of three months from the date of receipt of a copy of this order.

6.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.



WEB COPY



W.P.No.11711 of 2023

M.S.RAMESH,J.

vga

7.With the above direction, the Writ Petition stands disposed of.

No costs.

18.04.2023

Index:Yes/No

Speaking order/Non-speaking order

vga

To

1.The District Collector,
Coimbatore District Collectorate Office,
7/1, State Bank Road,
Gopalapuram,
Coimbatore – 641 018.

2.The Rent Authority cum
The Revenue Divisional Officer,
Revenue Division Office,
(North Division),
Kavundampalayam,
Coimbatore – 641 030.

W.P.No.11711 of 2023