



WEB COPY



W.P.No.10728 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10728 of 2023

K.M.Samy @ K.Munusamy

...Petitioner

Vs

1.The Deputy Inspector General,
Chennai Zone, Department of Registration,
Chennai - 600 035.

2.The District Registrar,
Chengalpattu District,
Chengalpattu - 603 002.

3.The Sub-Registrar,
The Sub-Registrar Office,
Thiruporur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to consider the 1st respondent's letter in No.691/A1/2023 dated 20.02.2023.

For Petitioner : Mr.Dharani Kasinathan

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader



W.P.No.10728 of 2023

WEB COPY

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 second and third respondents on 27.01.2023 seeking for execution/registration of documents. Thereafter, the petitioner had made a representation to the first respondent on 27.02.2023, who in turn had directed the second and third respondents to take action on the petitioner's representation. Since there was no further progress, 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, 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.



W.P.No.10728 of 2023

WEB COPY

4. In the light of the above observations, there shall be a direction to the second and third respondents herein to consider the petitioner's representation dated 27.01.2023, 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 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 made by the petitioner and that it is open to the concerned respondents to consider the same on its own merits.

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

No costs.

10.04.2023

Index: Yes/No

Speaking order/Non-speaking order

hvk

Note: Issue order copy on 17.04.2023



WEB COPY



W.P.No.10728 of 2023

M.S.RAMESH,J.

hvk

To

- 1.The Deputy Inspector General,
Chennai Zone, Department of Registration,
Chennai - 600 035.
- 2.The District Registrar,
Chengalpattu District,
Chengalpattu - 603 002.
- 3.The Sub-Registrar,
The Sub-Registrar Office,
Thiruporur.

W.P.No.10728 of 2023

10.04.2023