



WEB COPY



W.P.No.10415 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10415 of 2023

Thuyamalli

...Petitioner

Vs

1.The Thasildar,
Office of the Thasildar,
Pappireddipatti,
Dharmapuri District.

2.The Revenue Divisional Officer,
Office of RDO, Harur,
Dharmapuri District.

3.The District Collector,
Collectorate,
Dharmapuri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 13.02.2023 to provide any Government Tharisu Lands or the land in Survey No.10/1 to an extent of 4.36 acres, reserved for Scheduled Caste, situated in Kotrapatti Revenue Village Harur Taluk, Dharmapuri District.



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For Petitioner : Mr.S.Arokia Maniraj

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate

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 and second respondents on 13.02.2023 to provide any Government Tharisu Lands or the land in Survey No.10/1 to an extent of 4.36 acres, reserved for Scheduled Caste, situated in Kotrapatti Revenue Village Harur Taluk, 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 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



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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 representation dated 13.02.2023, 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 three months 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 respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.
No costs.

05.04.2023

Index: Yes/No
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M.S.RAMESH,J.

hvk

To

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