



W.P.No.11255 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.4.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11255 of 2023

1.Mrs.Jayanthi
2.Mrs.N.Sarojini
3.Mrs.S.Thangamani
4.Mrs.A.Padmavathi
5.Mr.S.Vadivel

...Petitioners

Vs

1.The District Collector,
Tiruppur, Tiruppur District.

2.The Revenue Divisional Officer,
Tiruppur, Tiruppur District.

3.The Tahsildar, Tahsildar Office
(South), Tiruppur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation dated 20.02.2023 and consequently direct the third respondent to issue patta to the petitioners.

For Petitioners : Mr.R.Mansoor Ilahi

For Respondents : Mr.P.Sathish,
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 first petitioner herein had given a representation dated 20.2.2023 to the first respondent seeking to issue house site patta to all the petitioners. Since the said representation has not yet been considered, the above writ petition has been filed.

3. It is seen from the typed set of papers that the petitioners have already given individual representations dated 20.7.2022 to the third respondent seeking issuance of house site patta. It is also seen that there are some communications between the third respondent and the Commissioner, Tiruppur Corporation. However, nothing was forthcoming. Therefore, the petitioners are before this Court.

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 consider the same on its own merits and pass appropriate orders in one



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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 him to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioners' individual representations dated 20.7.2022, on their own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioners 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 petitioners 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

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

No costs.

13.4.2023

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Index:Yes/No

Speaking order/Non-speaking order

To

1.The District Collector,
Tiruppur, Tiruppur District.

2.The Revenue Divisional Officer,
Tiruppur, Tiruppur District.

3.The Tahsildar, Tahsildar Office
(South), Tiruppur District.

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