



W.P.No.12245 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.12245 of 2023 & WMP.No.12102 of 2023

South Eastern Roadways,
rep.by its Partner Vikas Goyal

...Petitioner

Vs

1.The Tahsildar, Madhavaram
Taluk, Gandhi Road, Puzhal,
Madhavaram, Chennai-66.

2.The National Highways Authority
of India, rep.by its Project
Director, SRI Tower, III Floor,
DP-34 (SP) Industrial Estate,
Guindy, Chennai-32.

3.The Tamil Nadu Highways
Department, rep.by its
Director General, 76,
Sardar Patel Road, Guindy,
Chennai-25.

4.The Revenue Divisional Officer,
Chennai North Revenue Division,
Revenue Divisional Office,
North Chennai, Puzhal, Chennai-60.

...Respondents



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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 12.2.2021 and issue fresh patta in the name of the petitioner for the lands comprised in New Survey No.17, Old Survey Nos.817/1 and 828/1C, Madhavaram Village and Taluk, Chennai District for an extent of 1 Acre and 61 cents or 6515 sq.mts.

For Petitioner : Mr.Abishek Jenasenan

For Respondents 1, 3 & 4: Mr.Murugan Raja,
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for respondents 1, 3 and 4. Considering the limited nature of relief this Court proposes to grant, the writ petition is taken up for final disposal without ordering notice to the second respondent.

2. The petitioner herein had given a representation dated 12.2.2021 to the first respondents seeking to correct the extent in the patta dated 24.7.2020 in respect of the property in New Survey No.17, Old Survey



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Nos.817/1 and 828/1C, Madhavaram Village and Taluk, Chennai District and to issue a fresh patta in respect of the said property for the correct extent of 1 acre and 61 cents. Since the said representation has not yet been considered, this 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 Constitution of India and direct him 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 12.2.2021 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,



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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 of 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. Consequently, the connected WMP is closed.

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Index:Yes/No

Speaking order/Non-speaking order

To

- 1.The Tahsildar, Madhavaram Taluk, Gandhi Road, Puzhal, Madhavaram, Chennai-66.
- 2.The Project Director, National Highways Authority of India, SRI Tower, III Floor, DP-34 (SP) Industrial Estate, Guindy, Chennai-32.
- 3.The Director General, Tamil Nadu Highways Department, 76, Sardar Patel Road, Guindy, Chennai-25.
- 4.The Revenue Divisional Officer, Chennai North Revenue Division, Revenue Divisional Office, North Chennai, Puzhal, Chennai-60.

RS/SNI



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M.S.RAMESH,J.

RS/SNI

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WMP.No.12102 of 2023**

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