



W.P.No.11292 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.11292 of 2023

S.Ramalingam

...Petitioner

Vs

- 1.The Additional Chief Secretary/
Commissioner of Land Survey
& Settlement, Ezhilagam,
Chepauk, Chennai-5.
- 2.The District Collector,
Chengalpattu, Chengalpattu District.
- 3.The District Revenue Officer,
Chengalpattu, Chengalpattu District.
- 4.The Revenue Divisional Officer,
Maduranthakam, Chengalpattu District.
- 5.The Tahsildar, Cheyyur Taluk,
Chengalpatu District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue patta in favour of the petitioner comprising in Punjai Anathinam Survey No.613/69 measuring 1.05 Hectors in situated at Vedal Village, Cheyyur Taluk, Chengalpattu District based on the petitioner's representation



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dated 05.07.2022.

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For Petitioner : Mr.S.Satheeshkumar

For Respondents : Ms.Akila Rajendran,
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 dated 05.07.2022 to the respondents to issue patta to him in respect of the land in Punjai Anathinam Survey No.613/69, Vedal Village, Cheyyur Taluk, Chengalpattu District measuring 1.05 hectares. Since the said representation has not yet been considered, the above 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,



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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 fifth respondent herein to consider the petitioner's representation dated 05.07.2022, 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 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 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.

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M.S.RAMESH,J.

RS/SNI

Index:Yes/No

Speaking order/Non-speaking order

To

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