



W.P.No.11894 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.4.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11894 of 2023

Nagarathna

...Petitioner

Vs

1. The District Collector, Krishnagiri
2. The Sub Collector, Hosur
3. The Commissioner, Corporation of Hosur
4. The District Backward Classes and Minorities Welfare Officer,
Collectorate, Krishnagiri.
5. The Tahsildar, Hosur
6. Village Administrative Officer,
Avalapalli, Hosur Taluk

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 to grant house site to the petitioner based on the petition dated 02.08.2019.

For Petitioner : Mr.S.C.Vishwanth

For Respondents : Mr.Yogesh Kannadasan
Spl.Government Pleader



W.P.No.11894 of 2023

ORDER

By consent of both sides, the main writ petition has been taken up for final hearing.

2. The petitioner herein has given a representation dated 02.08.2019 seeking to grant house site. 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 the respondents 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 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 02.08.2019 on its own merits and pass appropriate orders in accordance with



W.P.No.11894 of 2023

law, as expeditiously as possible, after giving opportunity to all the concerned parties. 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 first respondent to consider the same on its own merits.

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

19.04.2023

Index:Yes/No

Speaking order/Non-speaking order
sr

To

1. The District Collector, Krishnagiri
2. The Sub Collector, Hosur
3. The Commissioner, Corporation of Hosur
4. The District Backward Classes and Minorities Welfare Officer,
Collectorate, Krishnagiri.
5. The Tahsildar, Hosur
6. Village Administrative Officer,
Avalapalli, Hosur Taluk



WEB COPY



W.P.No.11894 of 2023

M.S.RAMESH,J.

SR

W.P.No.11894 of 2023

19.04.2023