



WEB COPY



W.P.No.12383 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.12383 of 2023

R.N.Syed Akmal

...Petitioner

Vs

1.The District Collector,
Tiruvannamalai Collector
Office, Tiruvannamalai.

2.The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.

3.The Tahsildar, Tiruvannamalai
Taluk, Tiruvannamalai.

4.A.Mohaboom Basha

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to make necessary modifications in the Updating Data Registries (UDR) based on the representation given by the petitioner on 26.6.2021 for the land in T.S.No.1625 situated at Kagithamillath Street, Block No.25, 4th Ward, Tiruvannamalai Town and District.



W.P.No.12383 of 2023

For Petitioner : Mr.P.G.Thiyagu

For Respondents 1 to 3 : Mr.R.P.Murugan Raja,
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the official respondents. Since this Court is directing the third respondent to consider the petitioner's representation after giving notice to all the parties concerned, notice to the private respondent is dispensed with.

2. The petitioner has filed this writ petition seeking a direction to respondents 1 to 3 to consider his representation dated 26.6.2021 to make necessary modifications in the Updating Data Registries (UDR) for the land in T.S.No.1625 situated at Kagithamillath Street, Block No.25, 4th Ward, Tiruvannamalai Town and District.

3. It is seen from the typed set of papers that the first respondent, vide proceedings dated 19.7.2021, directed the third respondent to take necessary action on the petitioner's representation dated 26.6.2021.

4. It is needless to point out that whenever a representation of this



W.P.No.12383 of 2023

WEB COPY

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.

5. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 26.6.2021, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent herein, 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.



W.P.No.12383 of 2023

M.S.RAMESH,J.

RS/SNI

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

No costs.

21.4.2023

Index:Yes/No

Speaking order/Non-speaking order

To

- 1.The District Collector,
Tiruvannamalai Collector
Office, Tiruvannamalai.
- 2.The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Tahsildar, Tiruvannamalai
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W.P.No.12383 of 2023