



W.P.No.12345 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.12345 of 2023

Tamilselvan

...Petitioner

Vs

1.The District Collector,
District Collectorate Office,
Mayiladuthurai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Mayiladuthurai District.

3.The Tahsildar, Sirkali Taluk,
Sirkali Tahsildar Office,
Mayiladuthurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 13.3.2023.

For Petitioner : Mr.V.Sakkarapani

For Respondents : Mr.Murugan Raja,
Government Advocate



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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 petitioner has filed this writ petition seeking a direction to the respondents to consider his representation dated 13.3.2023 for issuance of a free house site patta.

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 third respondent herein to consider the petitioner's representation



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dated 13.3.2023 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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Index:Yes/No

Speaking order/Non-speaking order

To

1.The District Collector, District Collectorate Office,
Mayiladuthurai District.

2.The Revenue Divisional Officer, Revenue
Divisional Office, Mayiladuthurai District.

3.The Tahsildar, Sirkali Taluk, Sirkali Tahsildar Office,
Mayiladuthurai District.

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M.S.RAMESH,J.

RS/SNI

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