



W.P.No.11871 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11871 of 2023

K.Kannan

...Petitioner

Vs

1. The District Collector,
Kallakurichi, Kallakurichi District.

2. The District Revenue Officer,
Kallakurichi, Kallakurichi District.

3. The Revenue Divisional Officer,
Tirukoilur, Kallkurichi District.

4. The Tahsildar,
Ulundurpet, Kallakurichi District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 18.11.2022 for grant of assignment patta for the agricultural land in Survey Nos.498/3 and 493/1 situated at Ayan Vellore Village, Ulundurpet Taluk as granted assignment patta to the others within a reasonable time fixed by this Court.

For Petitioner : Mr.T.Gandhi



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For Respondents : Ms.Akila Rajendran
Government Advocate

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 to the respondents on 18.11.2022 seeking for grant of assignment patta for the agricultural land in Survey Nos. 498/3 and 493/1 situated at Ayan Vellore Village, Ulundurpet Taluk, as granted to others. 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



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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 18.11.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order, 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

M.S.RAMESH,J.



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SI

To

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