



W.P.No.12041 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.12041 of 2023

P.Periasamy

...Petitioner

Vs

The District Revenue Officer,
Office of the District Collector,
Kallakurichi, Kallakurichi District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to forthwith consider and pass orders on the representation of the petitioner dated 09.1.2023.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.P.Sathish,
Additional Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.No.12041 of 2023

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2. The petitioner had given a representation dated 09.01.2023 to the respondent seeking to issue patta to the Government Battai poramboke land comprised in S.No.94/1, Keelnariyappanur Village, Perumangalam Post, Kallakurichi District measuring 20' X 30'. Since the said representation has not yet been considered, this 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, 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 respondent herein to consider the petitioner's representation dated 09.01.2023, on its own merits and pass appropriate orders in accordance



W.P.No.12041 of 2023

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.

20.4.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

To

The District Revenue Officer,
Office of the District Collector,
Kallakurichi, Kallakurichi District.

RS/hvk



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W.P.No.12041 of 2023

M.S.RAMESH,J

RS/hvk

W.P.No.12041 of 2023

20.4.2023