



WEB COPY



W.P.No.11889 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.11889 of 2023

Emmanuel Full Gospel Mission Trust,
Rep by its Chairperson/trustee S.P.Tuhin Samuel,
Agnes Wallen Compound,
No.8D, Kumarasamy Street,
Rasipuram-637 408.
Namakkal District.

...Petitioner

Vs

1. The District Collector,
Tiruchengode-Namakkal-Trichy Road,
Namakkal, Tamil Nadu-637001.
2. The Revenue Divisional Officer,
Thillaipuram, Namakkal,
Tamil Nadu-637001.
3. The Tahsildar,
Rasipuram Taluk Office,
Namakkal District.
4. The Village Administrative Officer,
Rasipuram Village, Namakkal District.

5. Mrs.Joy Agnees-Trustee

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to dispose the petitioner's application dated 27.08.2022 within a time frame to be fixed by this

Court

<https://www.mhc.tn.gov.in/judis>



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For Petitioner : Mr.M.Francis Xavier

For Respondents : Mr.P.Sathish

AGP

R.1 to R.4

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 27.08.2022, seeking to cancel the patta No.71 issued in favour of the fifth respondent. 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



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second respondent herein to consider the petitioner's representation dated 27.08.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks 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 second 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

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Namakkal, Tamil Nadu-637001.
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