



W.P.No.12226 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.12226 of 2023

R.Bhuvaneshwari

...Petitioner

Vs

1.The District Collector,
Ranipet District, Ranipet.

2.The Revenue Divisional Officer,
Arakkonam, Ranipet District.

3.The Tahsildar, Nemili Taluk,
Nemili, Ranipet District.

...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 patta file No.Oo.Mu.Aa1/553/2021 dated 04.5.2021 in respect of the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.P.Kannan Kumar

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



W.P.No.12226 of 2023

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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 had given a representation dated 22.2.2021 to the second respondent to grant free house site patta to the land in S.No.23, door No.171, Pillaiyar Kovil Street, Perapperi Village, Nemili Taluk, Ranipet District measuring 312 sq.ft. Since the said representation has not yet been considered, the petitioner is before this Court.

3. It is seen that vide proceedings dated 04.5.2021, the second respondent forwarded the representation of the petitioner to the third respondent calling for a report after conducting an enquiry. However, nothing was forthcoming.

4. 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,



W.P.No.12226 of 2023

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 second respondent herein to consider the petitioner's representation dated 22.2.2021 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.

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

No costs.

20.4.2023

RS/hvk



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W.P.No.12226 of 2023

M.S.RAMESH,J.

RS/hvk

Index: Yes/No

Speaking order/Non-speaking order

To

1.The District Collector, Ranipet District, Ranipet.

2.The Revenue Divisional Officer, Arakkonam,
Ranipet District.

3.The Tahsildar, Nemili Taluk, Nemili, Ranipet District.

W.P.No.12226 of 2023

20.4.2023