



W.P.No.20128 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.20128 of 2021

U.K.Rajkumar

...Petitioner

Vs

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Revenue Divisional Officer (RDO),
Udumalaipettai 642 126.

3.The Thasildhar,
Udumalaipettai 642 126.

4.Town Municipality,
Udumalaipettai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent/Collector to consider the petitioner's representation dated 16.12.2020 to assign and issue patta to the lands measuring to an extent of 600 sq.ft. bearing Door No.32/2A, situated in Ward A, Block No.5, Old S.No.134, T.S.No.31, situated on the western side of Udumalaipettai Tiruppur Road



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in Udumalaipettai Town, Tiruppur District (previously Coimbatore District).

For Petitioner : Mr.K.Rajasekaran

For Respondents : Mrs.Akila Rajendran,
Government Advocate
for R1 to 3
Mr.B.Anand for R4

ORDER

Heard Mr.K.Rajasekaran, learned counsel for the petitioner and Mrs.Akila Rajendran, learned Government Advocate for respondents 1 to 3 and Mr.B.Anand for the fourth respondent.

2.The petitioner herein had given a representation dated 16.12.2020 for issuance of patta to the lands, measuring to an extent of 600 sq.ft. bearing Door No.32/2A, situated at Ward A, Block No.5, Old S.No.134, T.S.No.31, Udumalaipettai Tiruppur Road, Udumalaipettai Town, Tiruppur District. 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 him to



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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 first respondent herein to consider the petitioner's representation dated 16.12.2020, on its own merits and pass appropriate orders in accordance with law, after giving notice and due opportunity to the petitioner as well as all other persons, who may be interested in the subject property, within a period of three months from the date of receipt of a copy of this order.

5.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.



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M.S.RAMESH,J.

vga

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

vga

To

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Tiruppur District,
Tiruppur.

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Udumalaipettai 642 126.

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