



W.P.No.30284 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30284 of 2023
and W.M.P.No.29880 of 2023

G. Dhanapal

... Petitioner

Vs.

The Assistant Director of Survey and Land Records,
Collectorate,
Salem – 636 001.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to keep the enquiry into charge memo in Na.Ka.No.A7/9522/2018 dated 21.04.2021 in abeyance till the disposal of the criminal case in Spl.C.C.No.1/2021 pending on the file of the Special Judge for trial of cases under Prevention of Corruption Act, Salem, on the same charges.

For Petitioner : Mr.M. Ravi

For Respondent : Mr.M. Bindran,
Additional Government Pleader



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ORDER

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

2. The petitioner herein has given a representation to the respondent on 09.01.2023, requesting the copies of certain documents. Since the said representation has not been considered till date, 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 respondent 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.



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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 with law, within a period of four (4) 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 respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.
No costs. Connected miscellaneous petition is closed.

19.10.2023

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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To

The Assistant Director of Survey and Land Records,
Collectorate,
Salem – 636 001.



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M.S.RAMESH,J.

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