



W.P.No.7628 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7628 of 2023

V.Sumathi

...Petitioner

Vs

1.The District Collector,
Chengalpattu District.
Chengalpattu.

2.The Thasildar,
Cheyyur Taluk Office,
Cheyyur, Chengalpattu District.

3.The District Registrar,
Chengalpattu District Registrar Office,
Chengalpattu District.

4.The Sub Registrar,
Cheyyur SRO,
Cheyyur, Chengalpattu District.

5.Leelavathi

6.Tamilarasan

7.Priya

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the representation dated 31.12.2021 within a time frame.

For Petitioner : Ms.R.Aparna

For R1 to R4 : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

Heard Ms.R.Aparna, learned counsel for the petitioner and Mr.V.Veluchamy,, learned Additional Government Pleader for the respondents 1 to 4.

2. Since this Court is directing the official respondents to consider the petitioner's representation, after giving due notice and opportunity to the respondents 5 to 7, notice to the respondents 5 to 7 is hereby dispensed with.

3. The petitioner had given a representation dated 31.12.2021 to the official respondents seeking for cancellation of the document and



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joint patta. Since the said representation was not considered, the present Writ Petition has been filed.

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 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.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 31.12.2021, in accordance with the procedure contemplated under Section 77A of the Registration Act, after giving due opportunity to the respondents 5 to 7 and any other persons who may be interested in the subject property, within a period of twelve weeks from the date of receipt



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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 made by 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.

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Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

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To

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M.S.RAMESH,J.

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