



W.P.No.33747 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33747 of 2022

1.A.Adisekaran
2.V.Jayachandran
3.A.Adhinarul
4.K.Manipillai

...Petitioners

Vs

1. The District Level Committee,
Rep by the District Collector,
District Collectorate,
Mayiladuthurai.

2. The Revenue Divisional Officer,
Sirkali Taluk, Mayiladuthurai.

3. The Wild Life Warden,
Nagapattinam Division,
Mayiladuthurai.

4. The Forest Range Officer,
Sirkali Range,
Mayiladuthurai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioners dated 26.04.2021 in respect



W.P.No.33747 of 2022

of issuance of patta in S.No.1/1, Alakudi Village, Sirkali Taluk,
Mayiladuthurai District.

For Petitioners : Ms.K.Jenitha

For Respondents : Mr.P.Sathish
AGP

ORDER

Ms.K.Jenitha, learned counsel for the petitioners and Mr.P.Sathish,
learned Additional Government Pleader for the respondents.

2. The petitioners herein have given a representation to the first
respondent on 26.04.2021 seeking for a direction for issuance of patta.
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



W.P.No.33747 of 2022

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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 petitioners' representation dated 26.04.2021 on its own merits and pass appropriate orders in accordance with law, within a period of three months 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 petitioners and that it is open to the first respondent to consider the same on its own merits.

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

No costs.

17.04.2023

Index: Yes/No

Speaking order/Non-speaking order

sr



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W.P.No.33747 of 2022

M.S.RAMESH,J.

SR

To

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W.P.No.33747 of 2022

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