



W.P.(MD) No.12499 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.(MD) No.12499 of 2023
and
W.M.P(MD) No.10568 of 2023

P.Ravi

...Petitioner

Vs

1. The District Collector,
Madurai District, Madurai.
2. The Revenue Divisional Officer,
Usilampatti, Madurai District.
3. The Tahsildar,
Usilampatti Taluk, Madurai District.
4. The Taluk Surveyor,
Usilampatti Taluk, Madurai District.
5. The Village Administrative Officer,
Allikundam Village, Usilampatti Taluk,
Madurai District.
6. The Sub-Registrar,
Usilampatti Sub-Registrar Office,



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Madurai District.

7. Shagun Chaudhry

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the sixth respondent to conduct a detailed enquiry and dispose of the petitioners objection dated 02.05.2023 on merits in accordance with law within the time stipulated by this Honourable Court.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R1 to R6

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. Since this Court is directing the sixth respondent to consider the petitioner's objection, after giving notice and due opportunity to the seventh respondent, notice to the seventh responden is hereby dispensed with.



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3. The petitioner herein had given an objection to the respondents on 02.05.2023 to conduct a detailed enquiry with regard to the registration of his vendor's property. Since the said objection was not considered, the present Writ Petition has been filed.

4. It is needless to point out that whenever an objection of this nature is made to a Statutory Authority, there is a duty cast upon the sixth 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 objection 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 sixth respondent herein to consider the petitioner's objection dated 02.05.2023, on its own merits and pass appropriate orders in accordance



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with law, after giving notice and due opportunity to the seventh respondent and the persons who may be interested in the subject property, within a period of three (3) months 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 directions, the writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

25.05.2023

Index: Yes/No

Speaking order/Non-speaking order
pkn

To

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