



W.P.No.5915 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.5915 of 2024

Smt.U.Mehalashankar

... Petitioner

Vs.

1.Assistant Director,
Directorate of Enforcement,
Southern Regional Office,
Government of India,
Shastri Bhavan, III Block,
III Floor, 26, Haddows Road,
Chennai – 600 006.

2.The Director,
Directorate of Enforcement
Southern Regional Office,
Government of India,
Shastri Bhavan, III Block,
III Floor, 26, Haddows Road,
Chennai – 600 006.

3.The Sub Registrar,
SRO, Pallipalayam,
Pallipalayam – Sankari Rd, Pallipalayam,
Tamil Nadu – 638 008.



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4. The Sub Registrar,
SRO, Gandhipuram,
72, Saravanampatti – Kalapatti Rd,
Thiruvannamail Nagar, Marvel Parambariyam,
Saravanampatti, Coimbatore,
Tamil Nadu – 641 035.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st and 2nd respondents to dispose the representations of the petitioner dated 23.12.2023 and 30.01.2024 and communicate the same to the 3rd and 4th respondents within stipulated time frame as per law for the interest of justice and equity to the petitioner and the property.

For Petitioner	: Mr.P.Jesus Moris Ravi
For Respondents	: Mr.Rajinish Pathiyil Special Public Prosecutor

ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

The petitioner herein, has given representations dated 23.12.2023 and 30.01.2024, seeking to revoke the letter dated 15.01.2018 in Reference F.No.ECIR/CEZO-II/15/2017 and the letter dated 15.01.2018



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in Reference F.No.ECIR/CEZO-II/15/2017 and to communicate the same to the concerned Sub Registrar, Pallipalayam and Gandhi Nagar, Coimbatore. Since the said representations have not been considered till date, the present Writ Petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

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 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 view of the above observation, this Court, without going into the merits of the petitioner's representations or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the first and second respondents to consider the representations of the petitioner dated 23.12.2023 and 30.01.2024, seeking for revocation of the letters dated 15.01.2018, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

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

No costs.

[M.S.R., J] [S.M., J]

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Saravanampatti, Coimbatore,
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5. The Public Prosecutor,
High Court, Madras.



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