



W.P.(MD).No.2585 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2585 of 2024

K.Nagamani

....Petitioner

Vs

1.The Director General of Police,
Head of Police Force, Tamil Nadu,
Chennai.

2.The Additional Director General of Police,
Armed Police Chennai,
Chennai.

3.The Deputy Director General of Police,
Armed Police Chennai,
Chennai.

4.The Commandant,
Tamil Nadu Special Police-VI Battalion,
Madurai.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to give the permission for purchase of vacant land in Survey no.28/3 A2 with an extent of 857 square feet in Melapanagadi Village Madurai North Taluk, Madurai District by considering the petitioner's representation, dated 08.01.2024 within a period stipulated time by this Court.

For Petitioner : Mr.P.Karthick



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For Respondents :Mr.C.Baskaran
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the 3rd respondent to give the permission for purchase of vacant land in Survey no. 28/3 A2 with an extent of 857 square feet in Melapanagadi Village Madurai North Taluk, Madurai District by considering the petitioner's representation, dated 08.01.2024 within a period stipulated time by this Court.

2. By consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is working as Assistant in the 4th respondent office. He sought permission from the 3rd respondent for purchasing property in his name as per service norms along with necessary details. For which, the 4th respondent had replied to the petitioner's permission petition seeking for additional information and the same was also provided vide his reply, dated 06.11.2023. Despite the same, the respondents are continuously delaying the permission regarding purchase of vacant land in the name of the petitioner. Hence, he made a representation on 29.08.2023 seeking to dispose off his application seeking permission to purchase of property at the earliest. However, the same was not considered.



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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 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. In view of the limited scope of the relief sought for by the petitioner, this Court hereby direct the respondents to consider the representation of the petitioner, dated 29.08.2023 and pass appropriate orders in accordance with law within a period of three (3) weeks from the date of receipt of copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs

07.02.2024.

Internet : Yes
Index : Yes/No
NCC : Yes/No
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- 2.The Additional Director General of Police,
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- 3.The Deputy Director General of Police,
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- 4.The Commandant,
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L.VICTORIA GOWRI, J.

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