

**WP(MD). No.8644 of 2020**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED : 21.01.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.S. RAMESH**  
**AND**  
**THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE**

**WP(MD). No.8644 of 2020  
and WMP(MD) Nos.7991 and 9679 of 2020**

**Vasanthi**

**... Petitioner**

**Vs**

- 1. The District Collector,  
Sivagangai Dist.**
- 2. The Revenue Divisional Officer,  
Devakottai, Sivagangai Dist.**
- 3. The Tahsildar,  
Karaikudi Tk, Sivagangai Dist.**
- 4. The President,  
Sirugapatti Village Panchayat,  
Karaikudi Tk, Sivagangai Dist.**
- 5. The Superintendent of Police,  
Sivagangai Dist.**
- 6. The Inspector of Police,  
Saakottai Police Station, Sivagangai District**
- 7. Jacquelin**

**... Respondents**



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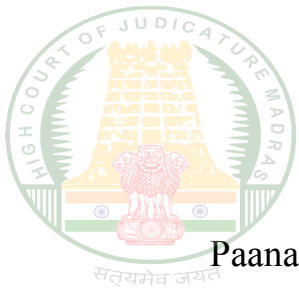
**PRAYER :-** Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents No.1 and 2 to complete the enquiry pending before them initiated based on the petitioner representation dated 11.6.2020 as against laying Tar Road in the petitioner property found in Survey No.282/1 situated at Peer Kalaikadu, Paananvayal Revenue Village, Karaikudi Tk, without conducting land acquisition proceedings.

For Petitioner : Mr.K.Anna  
For Respondents : Mr.J.Ashok for R1 to R3  
Addl. Government Pleader  
Mr.K.Mu.Muthu for R4  
Mr.P.Kottaichamy for R5& R6  
Government Advocate (Crl. Side)

### ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 3, learned Government Advocate (Crl. Side) for the respondents 5 and 6 and the learned counsel for the 4<sup>th</sup> respondent and perused the materials available on record.

2. The petitioner has filed this writ petition for a mandamus to direct the respondents No.1 and 2 to complete the enquiry pending before them initiated based on the petitioner's representation dated 11.6.2020 as against laying Tar Road in Survey No.282/1 situated at Peer Kalaikadu,



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Paananvayal Revenue Village, Karaikudi Tk, without conducting land acquisition proceedings.

3. In order to complete the enquiry pending before the respondents, the petitioner has given a representation to the official respondents on 11.06.2020. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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 the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, since the representation is of the year 2020, the petitioner is directed to send a fresh representation



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to the concerned respondent as expeditiously as possible. On receipt of such a representation, the concerned respondent is directed to consider the same on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent as well as all other persons, who may be interested in the subject matter, within a period of eight weeks from the date of receipt of a copy of the said representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

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

No costs. Consequently connected Miscellaneous Petitions are closed.

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

**[A.D.M.C.,J]**

**21.01.2025**

**NCC : Yes/No**

**Index : Yes/No**

**RR**



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