



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1010 of 2022

M/s.Dhanvanth Blue Metals,
Rep By its Partner, Sivanandha Vadivel,
No.1036, A.P.Pudhur, Ganapathipalayam Road,
Vellakovil-638 111.
Tiruppur District.

...Petitioner

Vs.

1.The District Collector,
Tiruppur District,
Tirupur.

2.The Revenue Divisional Officer,
Dharapuram,
Tiruppur District,

3.The Tashildar,
Kangeyam,
Tiruppur District.

4.The Commissioner
Vellokovil Municipality
Vellakovil, Tiruppur District

5.The Village Administration Officer,
Vellakovil,
Tiruppur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents consider the petitioner's representation dated 05.09.2021.



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For Petitioner : Mr.K.Rajendra Prasad

For Respondents : Mr.V.Manoharan
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the petitioner's representation dated 05.09.2021.

2. The representation submitted by the writ petitioner is not only vague, but does not contain any specific instances or violations regarding the infringement of the right of the petitioner.

3. The petitioner states that he is running a business in the name and style of M/s.Dhanvanth Blue Metals at Vellakkovil. He owns a patta lands at Vellakovil Taluk. He applied for quarry operation in the year 2011, which was not considered by the respondents. The petitioner states that subsequently, he got permission for stone quarry for the period from 2016 to 2021. The apprehension of the petitioner is that some people may construct houses without proper approval. However, the petitioner has not furnished any details regarding any such encroachments or construction of buildings without any proper plan approval from the authorities.

4. In the absence of any such specific allegations with details, the Courts will not be in a position to direct the respondents to consider the representation. Such vague representation submitted by the persons cannot be considered by the competent authorities. Even for considering the representation, there must be specific instances and allegations and the person must establish his right or infringement of right. In the absence of establishing any such right, such a vague representation cannot be considered by the competent authorities and based on such vague representation, the writ petition cannot be entertained at all.

5. Thousands and thousands of people are giving representations in a vague manner. If the Courts started directing the authorities to dispose of all such representations, the public authorities will not be in a position to function properly, more specifically, for execution of public schemes and performance of their regular duty. Only



the representation which all are submitted sensibly and by establishing the right or infringement, such representations are directed to be considered or otherwise.

6. This apart, there is a growing trend that in order to create a cause of action, such representations are given and writ petitions are filed. Merely based on certain apprehensions, representations are given to the authorities and writ petitions are filed by getting an order of direction to consider the representation, they are attempting to get an order from the competent authority in one way or other. Such practices can never be encouraged by the Courts, more specifically, under Article 226 of the Constitution of India. Any writ can be issued only if a right is established or if any infringement of right is brought to the notice of the Court.

7. Therefore, even for issuing a direction to consider the representation the person, who is approaching the Court must establish that his rights are violated. In the present case the petitioner submitted a vague representation without providing any details or particulars regarding any violations or illegalities for the purpose of initiation of action.

8. Thus, the Writ Petition is not entertainable and accordingly, the Writ Petition stands dismissed. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

Jeni/Cse
To

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Revenue Divisional Officer,
Dharapuram,
Tiruppur District,
3. The Tashildar,
Kangeyam,
Tiruppur District.



4.The Commissioner
Vellokovil Municipality
Vellakovil, Tiruppur District

5.The Village Administration Officer,
Vellakovil,
Tiruppur District.

+1cc to M/s.K.Rajendran Prasad, Advocate Sr.4586
+1cc to the Government Pleader Sr.5139

W.P.No.1010 of 2022

nk[co]
srg 10/02/2022