



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14128 of 2022
and W.M.P.No.13355 of 2022

K.S.Palanisamy

...Petitioner

Vs

1.The Director of Municipal Administration,
M.R.C.Nagar, Adyar, Chennai.

2.The Commissioner of Municipality,
Dharapuram Municipality,
Dharapuram, Tiruppur District.

3.The Building Inspector,
Dharapuram Municipality,
Dharapuram, Tiruppur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 2 to consider and pass orders on merits by disposing the written representation made by the petitioner on 19.04.2022 within a stipulated time as this Court fixes.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents 1 and 2 on 19.04.2022 seeking permission to consider and pass orders on merits by disposing of his representation dated 19.04.2022 within a stipulated time as this Court fixes.

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.

4. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 19.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks 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.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

grs/asr

To

1.The Director of Municipal Administration,
M.R.C.Nagar, Adyar, Chennai.

2.The Commissioner of Municipality,
Dharapuram Municipality,
Dharapuram, Tiruppur District.

3.The Building Inspector,
Dharapuram Municipality,
Dharapuram, Tiruppur District.

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SSI (CO)
PR (23/06/2022)