



WP.(MD).No.3593 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3593 of 2024

Kumaravel

... Petitioner

Vs.

District Collector,
District Collector Office,
Thanjavur.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 06.01.2024 and to dispose of the appeal at an earliest.

For Petitioner	: Mr.N.Balakrishnan
For Respondent	: Mr.D.Gandhiraj Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondents to consider the petitioner's representation dated 06.01.2024 and to dispose of the appeal at an earliest.



WP.(MD).No.3593 of 2024

WEB COPY 2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner is a Trader by profession possessing licence to sell and procure fireworks and small arms and he possess licence No.23/92-93. On payment of licence fee during February every year, the licence would be renewed from 1st April upto 31st March. The petitioner has paid renewal fees of Rs.900/- on 09.02.2023 under Challan of State Bank of India, Thiruvaiyaru Branch. The concerned Authorities namely, Tahsildar, Revenue Divisional Officer, Executive Officer of Panchayat have given No Objection Certificate to the petitioner for renewal of licence. Thereafter, the petitioner has sent a registered letter on 06.11.2023 for grant of temporary licence. In anticipation that the licence would be duly granted, the petitioner also purchased the crackers for substantial amount. However, the District Revenue Officer, Thanjavur has uploaded a communication in the Thanjavur e-District website that the petitioner's temporary licence was not renewed for the reason



WP.(MD).No.3593 of 2024

that the area is prompted to traffic and the same was rejected. As against the said order, the petitioner filed an appeal before the District Collector, Thanjavur, Appellate Authority under the Act for redressal of his grievance on 25.11.2023 and the same was not considered. Therefore, the petitioner has made a representation to the respondents on 06.01.2024 requesting for early disposal of the appeal. However, the same was not considered. Hence, this Writ Petition came to be filed.

4.Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents and carefully perused the entire materials available on record.

5.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



WP.(MD).No.3593 of 2024

Constitution of India.

WEB COPY

6.In view of the same, without going into merits of the case, this Court hereby direct the respondents to dispose of the appeal and to consider the petitioner's representation dated 06.01.2024, within a period of four weeks from the date of receipt of copy of this order and also enabling the petitioner to apply for the renewal of the licence.

7.In view of the above, this Writ Petition stands disposed of. There shall be no order as to costs.

16.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

Note : Issue order copy on **19.02.2024**.



WEB COPY



WP.(MD).No.3593 of 2024

To

District Collector,
District Collector Office,
Thanjavur.



WEB COPY



WP.(MD).No.3593 of 2024

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.3593 of 2024

16.02.2024