



W.P.(MD).No.29621 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.29621 of 2024

and

W.M.P.(MD)No.25013 of 2024

Sadagopan

... Petitioner

Vs.

- 1.The Director,
Town and Country Planning,
No. 807, Anna Road,
Chennai.
- 2.The Deputy Director,
Town and Country Planning,
No. 4, Ajmalkhan Road,
Madurai.
- 3.The Commissioner,
Madurai Corporation,
Arignar Annna Maligai,
Thallakulam,
Madurai - 625002.
- 4.The Local Planning Authority,
Madurai Local Planning Commission,
Sector VI, Anaiyur,
Mudakathan Main Road,
Koodal Pudur,
Madurai - 17.
- 5.The Sub Registrar,
Madurai South Joint 4,
V.M.R. Complex,
Vasanthanagar,
Palanganatham,



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6.The A2683 Madurai Town Building
Society Limited, Rep. by its Secretary,
Janagi,
No. 12, Kathukkondan Toppu Street,
Tamil Sangam Road,
Madurai - 625001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 21.08.2024 and consequentially restrain the respondents 1-5 from giving approval to convert common place situated at Madakulam Village Alagappan Nagar, Madurai to residential plots.

For Petitioner : Mr.S.Madhavan

For R-1, R-2, R-4 & R-5 : Mr.D.S.Neduncheliyan,
Government Advocate

For R-3 : Mrs.S.Devasena,
Standing counsel

ORDER

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

2.This writ petition is filed to direct the respondents to consider the petitioner's representation dated 21.08.2024 and consequentially restrain



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the respondents 1-5 from giving approval to convert common place situated at Madakulam Village Alagappan Nagar, Madurai to residential plots.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.The learned standing counsel appearing for the 3rd respondent on instructions submitted that the petitioner's representation is with respect to the 6th respondent's application to convert a common place into residential plots and she further submitted that the petitioner's representation would be duly considered in accordance with law.

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 to 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.



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6. Without going into the merits of this case, this Court hereby direct the respondents 1 to 5 to consider the petitioner's representation dated 21.08.2024 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

1.The Director,
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Chennai.

2.The Deputy Director,
Town and Country Planning,
No. 4, Ajmalkhan Road,
Madurai.

3.The Commissioner,
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L.VICTORIA GOWRI, J.

Sml

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