



W.P.(MD).No.27214 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.27214 of 2024

S.Kuppusamy

... Petitioner

Vs.

1.The District Collector,
Dindigul Collectorate,
Dindigul-624 004.

2.The Assistant Director,
(Panchayats),
Collectorate,
Dindigul-624 004.

3.The Block Development Officer,
(Village Panchayats),
Vedasandur Panchayat Union,
Vedasandur, Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent, the District Collector, Dindigul District, Dindigul and the 2nd respondent, the Assistant Director of Panchayats, Dindigul, to provide necessary approval, within a specified time limit, on the proposal made by the petitioner dated 12.08.2024 and also on the proposal of the 3rd respondent in Letter No.B3/1839/2022 dated 28.08.2024, without any further loss of time.



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For Petitioner : Mr.S.L.Muthiah
For R-1 & R-2 : Mr.T.Amjad Khan,
Government Advocate
For R-3 : Mr.D.Sadhiq Raja,
Additional Government Pleader

ORDER

This writ petition has been filed to direct the 1st respondent, the District Collector, Dindigul District, Dindigul and the 2nd respondent, the Assistant Director of Panchayats, Dindigul, to provide necessary approval, within a specified time limit, on the proposal made by the petitioner dated 12.08.2024 and also on the proposal of the 3rd respondent in Letter No.B3/1839/2022 dated 28.08.2024, without any further loss of time.

2. Heard, Mr.S.L.Muthiah, learned counsel appearing for the petitioner, Mr.T.Amjad Khan, learned Government Advocate appearing for the respondents 1 and 2, Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for 3rd respondent and carefully perused the materials available on record.

3. The petitioner is the elected president of V.Pudukottai Village, Vedasandur Panchayat Union, Vedasandur Taluk, Dindigul District. A proposal to set up a weekly cattle market in (*)survey No.301 of V.Pudukottai Village, was appreciated



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by the 3rd respondent. The 3rd respondent has accorded the permission to seek a weekly cattle market in (*)survey No.301 of V.Pudukottai Village and forwarded a proposal along with a recommendation to the 2nd respondent. The 2nd respondent after due consideration has to forward the same to the 1st respondent. However, the said exercise has not been done so far. Hence, the petitioner had made a representation on 20.10.2023 to the respondents to take a final call in this regard. However, the same is not considered. Hence, the present writ petition came to be filed.

4. 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 Constitution of India.

5. In view of the same, the respondents 1 and 2 to act upon the proposal which has been forwarded by the 3rd respondent in letter No.B3/1839/2022 dated 28.08.2024 and pass appropriate orders in accordance with law within a period of three (3) weeks from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

(*)Corrected as per order of this Court dated 26/11/2024 made in WP(MD)No. 27214 of 2024.

Sd/-

Assistant Registrar (T&P)

// True Copy //

28/11/2024

Sub Assistant Registrar
(CS-I/II/III/IV)

Sml

To

(*)To be substituted to the order already despatched on 19/11/2024

- 1.The District Collector,
Dindigul Collectorate,
Dindigul-624 004.
- 2.The Assistant Director,
(Panchayats),
Collectorate,
Dindigul-624 004.
- 3.The Block Development Officer,
(Village Panchayats),
Vedasandur Panchayat Union,
Vedasandur, Dindigul District.

+1 CC to M/s.S.I.MUTHIAH, Advocate (SR-65366[F] dated 15/11/2024)

<https://www.mhc.tn.gov.in/judis>



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WEB COPY +1 CC to M/s.SPL.GP (SR-65752[F] dated 18/11/2024)

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14.11.2024

SL(19.11.2024)/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

SL(28.11.2024)/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.