



W.P.(MD).No.28614 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.28614 of 2024

A.Sheik Burid Oli

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Dindigul District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul District,
Dindigul.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul.
- 4.The Tahsildar,
Office of the Tahsildar,
Dindigul East Taluk,
Dindigul District,
Dindigul.
- 5.The Commissioner,
Dindigul City Municipal Corporation,
Dindigul District.

... Respondents

*(R-5 is suo motu impleaded vide Court order dated 02.12.2024 made in W.P.
(MD).No.28614 of 2024)*



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, to direct the respondents to conduct renovation and maintenance work of “Freedom Fighter Tippu Sultan Manimandapam” situated at Nagal Nagar, Dindigul District by considering the petitioner's representation dated 04.10.2024 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed for a Mandamus to direct the respondents to conduct renovation and maintenance work of “Freedom Fighter Tippu Sultan Manimandapam” situated at Nagal Nagar, Dindigul District by considering the petitioner's representation dated 04.10.2024 within the time stipulated by this Court.



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3. The petitioner herein had given a representation to the respondents on 04.10.2024 for conducting renovation and maintenance work of “Freedom Fighter Tippu Sultan Manimandapam” situated at Nagal Nagar, Dindigul District. Since the said representation was not considered, the present Writ Petition has been 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 him 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 the Constitution of the India and direct them to consider the same within a stipulated time.

5. At this juncture, the learned Government Pleader appearing for the respondents would submit that the Manimandapam is being maintained by the Dindigul City Municipal Corporation and the petitioner's representation requires to be considered only by the Dindigul City Municipal Corporation.



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6. In view of the above submission, the Commissioner, Dindigul City Municipal Corporation, Dindigul District is *suo motu* impleaded as party respondent.

7. In the light of the above observations, there shall be a direction to the newly impleaded fifth respondent herein to consider the petitioner's representation dated 04.10.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons, who may be interested in the subject matter, within a period of three (3) months 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 matter and that it is open to the concerned respondent to consider the same on its own merits.

8. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

(M.S.R.,J.) (A.D.M.C.,J.)
02.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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To

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