



W.P.(MD).No.30256 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.12.2024

CORAM

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

W.P.(MD).No.30256 of 2024

S.Rajapandian

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Public (Law and Order-B) Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Rural Development
and Panchayat Raj,
Panagal Building,
Saidapet,
Chennai – 600 015.
- 3.The District Collector,
Kanyakumari District at Nagercoil.
- 4.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.
- 5.The District Educational Officer,
Thuckalay,
Kanyakumari District.



W.P.(MD).No.30256 of 2024

6.The President,
Aathikattuvelai Village Panchayat,
Agastheeswaram Taluk,
Kanyakumari District.

7.CSI Church,
Represented by its Secretary,
Aaathikkattuvelai,
Agastheeswaran Taluk,
Kanyakumari District.

8.The Correspondent,
L.M.S.Higher Secondary School,
Zionpuram, Aathikattuvelai,
Agasteeswaran Taluk,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 6 to take appropriate action on the representation dated 26.02.2024 and to ensure that the 6th respondent shall maintain the name of 'Aaathikkattuvelai' in respect of the House Tax receipts, Water Tax receipts and all other display boards of Government organization as Aathikattuvelai Village.

For Petitioner : Mr.V.Sasi Kumar

For R-1 to R-6 : Mr.P.Thilak Kumar

Government Pleader

ORDER

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



W.P.(MD).No.30256 of 2024

2. This Writ Petition has been filed for Mandamus, to direct the respondents 1 to 6 to take appropriate action on the representation dated 26.02.2024 and to ensure that the 6th respondent shall maintain the name of 'Aathikkattuvilai' in respect of the House Tax receipts, Water Tax receipts and all other display boards of Government organization as Aathikattuvilai Village.

3. Since no adverse orders are going to be passed against the respondents 7 and 8, notice to the respondents 7 and 8 is hereby dispensed with.

4. The petitioner herein along with the villagers of Aathikattuvilai Village, had given a representation to the official respondents on 26.02.2024, to maintain the name of 'Aathikkattuvilai' in respect of the House Tax receipts, Water Tax receipts and all other display boards of Government organization as Aathikattuvilai Village. Since the said representation was not considered, the present Writ Petition has been filed.

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 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



W.P.(MD).No.30256 of 2024

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.

6. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 26.02.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the respondents 7 and 8 herein, 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 respondents to consider the same on its own merits.

7. 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.)
16.12.2024

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



W.P.(MD).No.30256 of 2024

To

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W.P.(MD).No.30256 of 2024

M.S.RAMESH,J.
and
A.D.MARIA CLETE,J.

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W.P.(MD).No.30256 of 2024

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