



WEB COPY



W.P.No.11717 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.No.11717 of 2022
and W.M.P.No.11176 of 2022

1.Kamala Arumugam (Deceased)
2.Kalaimathi
3.Isaimathi
4.S.Rathinavelu
5.Nithyalakshmi
6.R.Vidhya
7.Ambika Shanmugam
8.M.Arivarasan
9.M.Arivazhaagan
(Petitioners 2 to 9 substituted as LR's of deceased
1st petitioner as per order dated 13.12.2023 in
W.M.P.No.34071 of 2023)

...Petitioners

Vs.

1.State of Tamil Nadu,
Rep. by Secretary,
Ministry of Municipality and
Local Administration,
Fort St. George, Chennai – 600 009.

2.The Deputy Director,
Office of the Deputy Director of
Town and Country Planning,
Vellore Region.



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3.The Commissioner,
Vanniyambadi Municipality,
Vanniyambadi, Vellore District.

4.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Production and
Distribution Corporation, Vaniyambadi.

5.K.Purushothaman,
Proprietor of K.P.A. Palace,
Thirumana Mandapam,
Islamiya Collage Road,
New Town in Gandhi Nagar,
Ward-5, B Division, Vanniyambadi.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider the petitioners' written representation dated 14.01.2019 and remove the unauthorized construction Kalayamandapam namely K.P.A. Palace constructed in T.S.No.8/1A4 situated at Islamia College, New Town, Gandhi Nagar, Vaniyambadi, Vellore District put up by the fifth respondent deviating the planning permit No.Ka.Va/Na.Oo.Thu.E(Ve.Ma) No.26/2018 dated 23.05.2019 and take appropriate action against the fifth respondent in accordance with Tamil Nadu District Municipalities Act, 1920.

For Petitioners	: Mr.J.R.Bhavanantham
For R1 to R3	: Mr.G.Ameedius Government Advocate
For R5	: Mr.C.V.Shailandran
For R4	: No appearance



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ORDER

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

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The first petitioner has given a representation dated 14.01.2019 to the respondents herein, seeking to remove the unauthorized construction of Kalyanamandapam, namely, K.P.A.Palace put up by the fifth respondent deviating the planning permit and take appropriate action against him. Since the said representation has not been considered till date, the present Writ Petition has been filed.

2. Heard the learned counsel for the petitioners and the learned counsels appearing for the respondents.

3. It is needless to point out that whenever a representation of this nature is made to an Authority, there is a duty cast upon them 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 Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.



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4. In view of the above observation, this Court, without going into the merits of the first petitioner's representation or the contentions of the petitioners in the affidavit filed in support of this Writ Petition, directs the third respondent to consider the representation of the first petitioner dated 14.01.2019, if not already disposed of, and pass appropriate orders on merits and in accordance with the provisions of the Tamil Nadu Town and Country Planning Act, after giving due opportunity to the petitioners as well as the other interested parties, within a period of three months from the date of receipt of a copy of this order and communicate the same to the petitioners.

5. With the above direction, this Writ Petition stands disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R.,J] [R.S.V.,J]
09.10.2025

Index: Yes/No
Neutral Citation: Yes/No
Speaking order/Non-Speaking Order
hvk



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- To
- 1.The Secretary,
Ministry of Municipality and
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 - 2.The Deputy Director,
Office of the Deputy Director of
Town and Country Planning,
Vellore Region,
 - 3.The Commissioner,
Vanniyambadi Municipality,
Vanniyambadi, Vellore District.
 - 4.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Production and
Distribution Corporation,
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M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

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