

**W.P.(MD)No.1189 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED: 10.01.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**and**

**THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD)No.1189 of 2025**

**and**

**W.M.P.(MD)No.807 of 2025**

K.Manokaran

: Petitioner

Vs.

1.The District Collector,  
Madurai District.

2.The District Revenue Officer,  
Madurai.

3.The Revenue Divisional Officer,  
Thirumangalam,  
Madurai District.



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4.The Assistant Director of Panchayat,  
Collector Office Campus,  
Madurai.

5.The Tahsildar,  
Taluk Office,  
Thirumangalam Taluk,  
Madurai District.

6.The Sub Registrar,  
Sub Registrar Office,  
Thirumangalam,  
Madurai District.

7.The Block Development Officer,  
Block Development Office,  
Thirumangalam,  
Madurai District.

8.Jeyaraj

9.Selvi @ Vaigai Selvi

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the first to fifth



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respondents to remove the encroachment in the cart track way in Survey No.193 situated at Vadakarai Village, Thirumangalam Taluk, Madurai District made by the 8<sup>th</sup> & 9<sup>th</sup> respondents, consequently further direct the second respondent to rectify the revenue records and include the cart track way in Survey No.193 situated at Vadakarai Village, Thirumangalam Taluk, Madurai District based on the petitioner's representation dated 31.08.2024 & 09.09.2024.

For Petitioner : Mr.K.Palmurugan

For Respondents 1 to 6 : Mr.S.Shaji Bino,  
Special Government Pleader

For Respondent No.7 : Mr.J.Ashok  
Additional Government Pleader

### **ORDER**

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[Order of the Court was made by **M.S.RAMESH, J.**]

By consent of both sides, the writ petition itself 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 1 to 5 to remove the encroachment in the cart track way in



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Survey No.193 situated at Vadakarai Village, Thirumangalam Taluk, Madurai District made by the 8<sup>th</sup> & 9<sup>th</sup> respondents and for a further direction to the second respondent to rectify the revenue records and include the cart track way in Survey No.193 situated at Vadakarai Village, Thirumangalam Taluk, Madurai District based on the petitioner's representations dated 31.08.2024 & 09.09.2024.

3.Since this Court is directing the respondents 1 to 5 to consider the petitioner's representations, after giving due opportunity to the private respondents herein, notice to the private respondents is hereby dispensed with.

4.The petitioner herein had given representations to the official respondents on 31.08.2024 & 09.09.2024, in this regard. Since the said representations were 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



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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.

6. In the light of the above observations, there shall be a direction to the respondents 1 to 5 to consider the petitioner's representations dated 18.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein and the respondents 8 & 9, as well as all other persons, who may be interested in the subject property, 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.



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7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**[M.S.R.,J.] & [A.D.M.C.,J.]**

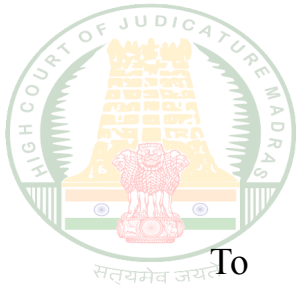
**10.01.2025**

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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**M.S.RAMESH, J.**

**and**

**A.D.MARIA CLETE, J.**

MR

**ORDER MADE IN**

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