



WP(MD). No.1962 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.01.2025

CORAM

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

WP(MD). No.1962 of 2025

D. Saravana Kumar

... Petitioner

Vs

**1. The District Collector,
Pudukkottai..**

**2. The Assistant Director,
Department of Panchayats,
Office of Assistant Director of Panchayats,
Pudukkottai..**

**3. The Tahsildar,
Karambakkudi Taluk,
Pudukkottai..**

**4. The Block Development Officer,
Karambakkudi,
Pudukkottai..**

**5. The President,
Mailankonpatti Village Panchayat,
Krambakkudi Panchayat Union,
Pudukkottai..**

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to complete the proceedings initiated in Na.Ka. 791/2021/A2(U) dated 10.05.2024 and to provide a proper pathway to access the burial ground situated behind Rangiyamkulam Orani.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.P.Thilak Kumar for R1 to R4
Government Pleader

ORDER

(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. The petitioner has filed this writ petition for a mandamus to direct the respondents to complete the proceedings initiated in Na.Ka. 791/2021/A2(U) dated 10.05.2024 and to provide a proper pathway to access the burial ground situated behind Rangiyamkulam Orani.

3. In order to provide pathway to access the burial ground behind Rangiyankulam Orani, the petitioner along with others has given a

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representation to the official respondents on 03.01.2025. Since the said representation has not been considered so far, the petitioner is before this Court with this petition.

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, 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 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. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 03.01.2025, in the light of the proceedings of the 2nd respondent dated 10.01.2025, 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



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period of three 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.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

[M.S.R.,J]

[A.D.M.C.,J]

24.01.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The District Collector,
Pudukkottai..

2. The Assistant Director,
Department of Panchayats,
Office of Assistant Director of Panchayats,
Pudukkottai..

3. The Tahsildar,
Karambakkudi Taluk,
Pudukkottai..

4. The Block Development Officer,
Karambakkudi,
Pudukkottai..

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

RR

ORDER
IN
WP(MD) No.1962 of 2025

Date : 24.01.2025