



W.P.(MD)No.771 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.771 of 2025

C.Perumal

: Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Assistant Director of Town Panchayats,
Collector Office Campus,
Theni,
Theni District.

3.The Executive Officer,
Town Panchayat Office,
Aundipatti Post,
Theni District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the third respondent to provide the drainage channel and lay paver blocks to all the streets comprised in Ward No.18 of Amman Nagar, Kondamanayakkanpatti, Aundipatti Taluk, Theni District in the third respondent Town Panchayat by considering the representations dated 04.11.2024, 25.11.2024 and 26.12.2024 of the residents and the petitioner within the time frame that may be stipulated by this Court.

For Petitioner : Mr.M.Pounraj
For Respondents 1 & 2 : 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 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 third respondent to provide the drainage channel and lay paver blocks to all the streets comprised in Ward No.18 of Amman Nagar,



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Kondamanayakkanpatti, Aundipatti Taluk, Theni District in the third respondent Town Panchayat by considering the representations dated 04.11.2024, 25.11.2024 and 26.12.2024 of the residents and the petitioner.

3.The petitioner herein had given representations to the official respondents on 04.11.2024, 25.11.2024 and 26.12.2024, in this regard. Since the said representations were 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.



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5. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representations dated 04.11.2024, 25.11.2024 and 26.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein 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.

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

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

09.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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Theni.

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M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

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