



W.P.(MD).No.839 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**

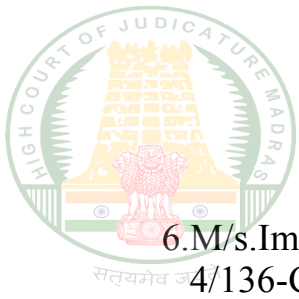
W.P.(MD).No.839 of 2025

M.Muthu Ganesan

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Korampallam,
Thoothukudi - 628 101.
- 2.The Assistant Director,
Minerals and Mining Department,
District Collector Office,
Korampallam,
Thoothukudi - 628 101.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Thiruchendur,
Thoothukudi District - 628 215.
- 4.The Tashildar,
Taluk Office Complex,
Thiruchendur,
Thoothukudi - 628 215.
- 5.M/s.Bharat Heavy Electricals Limited,
Pallikaranai,
Chennai.



W.P.(MD).No.839 of 2025

6.M/s.Immanuel and Co. (Tuticorin),
4/136-C/1, Harbour Bypass Road,
Near Fisheries College,
Tuticorin - 628 008.

7.M/s.Sri Saravana Engineering
Bhavani (P) Limited (Erode),
367A, Mettur Main Road,
Bhavani,
Erode - 638 301.

8.M/s.RPP Infra Project Limited (Erode),
S.F. No.454, Ragupathy Naicker Palayam,
Poondirai Main Road,
Railway Colony Post,
Erode - 638 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 06.02.2024 and to take appropriate action as against the supply of illegal gravel sand by the respondents 6 to 8 creating huge revenue loss to the Government.

For Petitioner : Mr.M.Selvam

For R-1 to R-4 : 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.839 of 2025

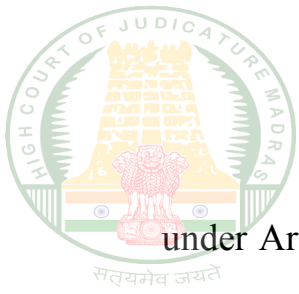
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2. This Writ Petition has been filed for a Mandamus, directing the first respondent to consider the petitioner's representation dated 06.02.2024 and to take appropriate action as against the supply of illegal gravel sand by the respondents 6 to 8 creating huge revenue loss to the Government.

3. Since no adverse orders are going to be passed against the respondents 5 to 8, notice to the respondents 5 to 8 is hereby dispensed with.

4. The petitioner herein had given a representation to the respondents 1 to 4 on 06.02.2024 to take appropriate action as against the supply of illegal gravel sand by the respondents 6 to 8. 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 and hence, this Court will be justified in invoking its extraordinary powers



W.P.(MD).No.839 of 2025

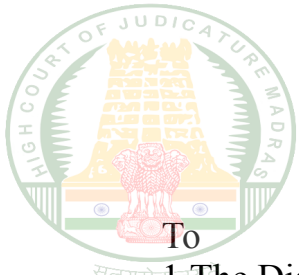
under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents 1 to 4 herein to consider the petitioner's representation dated 06.02.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the respondents 5 to 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.)
10.01.2025

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



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To

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