



W.P.(MD)No.1799 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.1799 of 2025

M. Santhanaraj

... Petitioner

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
St.George Fort,
Chennai.

2. The Assistant Director,
Town and Country Planning Department,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent No.1 herein to consider the petitioner's appeal petition dated 16.12.2024 and pass an appropriate order on merits within a stipulated time as prescribed by this Court.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.T.Amjadkhan
Government Advocate



W.P.(MD)No.1799 of 2025

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ORDER

Mr.T.Amjadkhan, learned Government Advocate takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2. This Writ Petition is filed seeking to dispose of the appeal dated 16.12.2024, in the matter of approval of a layout pertaining to the petitioner.

3. Heard the learned counsels on either sides and carefully perused the materials available on record.

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 the respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.



W.P.(MD)No.1799 of 2025

5. Without going into the merits of this case, this Court hereby direct the respondents to consider the petitioner's appeal petition made by the petitioner and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

24.01.2025

NCC : Yes / No
Index : Yes / No
jbr

TO:-

1. The Secretary to Government,
Housing and Urban Development Department,
St.George Fort,
Chennai.

2. The Assistant Director,
Town and Country Planning Department,
Thoothukudi District,
Thoothukudi.



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L.VICTORIA GOWRI, J.

jbr

Order made in
W.P.(MD)No.1799 of 2025

Dated
24.01.2025