



W.P.(MD)No.2034 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.2034 of 2025

and WMP (MD) No.1436 of 2025

V.R.P.Mohanraj

: Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Anna Malaigai,
Madurai.

2. The Assistant Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from demanding to pay monthly rents of the petitioners shops No. 336, 357, 376, situated at Madurai Mattuthavani Integrated Vegetable Market upto March, 2025.

For Petitioner : Mr. R.Murugappan

For Respondents : Mr.S.Vidyasagar

Standing Counsel



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ORDER

This writ petition has been filed seeking a mandamus, forbearing the respondents from demanding the payment of monthly rents for the petitioner's shop Nos.336, 357, and 376, situated at the Madurai Mattuthavani Integrated Vegetable Market, up to March 2025.

2. The petitioner claims that he along with the members of the Integrated Vegetable Shopping Complex Merchants Welfare Association, having shops in Mattuthavani Integrated Vegetable Market. The petitioner asserts that several writ petitions have already been filed concerning the issues related to rent collection, increase of rent, adjustment of arrear rents and COVID-related concessions. However, without following due procedure, the respondents have served a notice demanding rent payment for the shops up to March 2025. In this regard, the petitioner submitted a representation on 13.01.2025, requesting that the rent demand be made in accordance with the concessions specified in G.O. Nos. 298 and 337. However, as no action has been taken on the representation, the petitioner has now filed the present writ petition.



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3. Heard both sides.

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 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, to consider the petitioner's representation dated 13.01.2025, 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 period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its



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views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

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

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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