

WP(MD). No.2233 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.01.2025

CORAM

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

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M. Ganesh Kumar

... Petitioner

Vs

1. The District Collector / Monitoring Committee,
Office of the District Collector,
Virudhunagar District - 626 002..

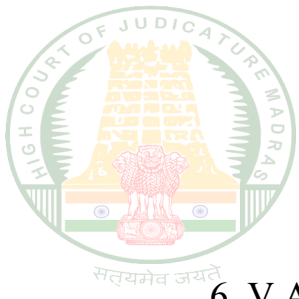
2. The Revenue Divisional Officer,
Sattur Revenue Division,
Sattur,
Virudhunagar District - 626 203..

3. The Tahsildar,
Sattur Taluk Office,
Sattur,
Virudhunagar District - 626 203..

4. The Block Development Officer,
Sattur Block, Sattur,
Virudhunagar District - 626 203..

5. The Village Administrative Officer,
Periyakollapatti Village,
Sattur Taluk,
Virudhunagar District -626 203..

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6. V.A.K.Ramasamy

... 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 respondents 1 to 5 to take necessary action to remove the encroachment situated in Survey Number 292/7, 292/8, 292/9, 292/10 in Periyakollapatti Village, Sattur Taluk, Virudhunagar District based on the petitioner's representation dated 16.11.2024

For Petitioner : Mr.D.Ashokkumar

For Respondents : Mr.P.Thilak Kumar for R1 to R5
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. Since no adverse orders are going to be passed against the 6th respondent, notice to the 6th respondent is dispensed with.



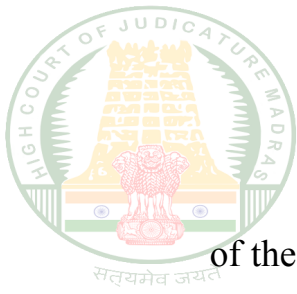
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3. The petitioner has filed this writ petition for a mandamus to direct the respondents 1 to 5 to take necessary action to remove the encroachment situated in Survey Number 292/7, 292/8, 292/9, 292/10 in Periyakollapatti Village, Sattur Taluk, Virudhunagar District based on the petitioner's representation dated 16.11.2024

4. In order to take necessary action to remove the encroachment said to have been made in the aforesaid survey numbers, the petitioner has given a representation to the official respondents on 16.11.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this petition.

5. 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



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of the India and direct them to consider the same within a stipulated time.

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6. In the light of the above observations, there shall be a direction to the respondents 1 to 5 to consider the petitioner's representation dated 16.11.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent as well as all other persons, who may be interested in the subject matter, within a 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.

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

No costs.

[M.S.R.,J]

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

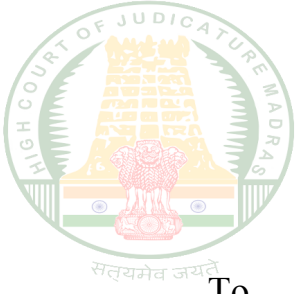
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NCC : Yes/No

Index : Yes/No

RR

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To

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

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ORDER
IN
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