



W.P.(MD)No.2582 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.2582 of 2025

and

W.M.P.(MD)No.1826 of 2025

A.Palanivel

: Petitioner

Vs.

1.The Chief General Manager,
National Highways Authority of India,
(Ministry of Road, Transport & Highways),
SRI Tower, 3rd Floor DP-34 (SP), Industrial Estate,
Guindy, Chennai – 600 032.

2.The Deputy General Manager & Project Director,
Project Implementing Division,
National Highways Authority of India,
No.307, Melur Main Road,
K.K.Nagar, Madurai – 625 020.



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3. The District Collector,
Collectorate Building,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents to take steps to build a subway near the Government School under the ground of the over bridge being constructed on Thirumangalam to Senkottai Two ways road by considering the petitioner's representation dated 02.01.2025.

For Petitioner : Mr.R.Venkatesan

For Respondents 1 & 2 : Mr.P.Karthick

Standing Counsel

For Respondent No.3 : Mr.P.Thilak Kumar

Government Pleader

O R D E R

[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.



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2.This writ petition has been filed for a Mandamus to direct the respondents to take steps to build a subway near the Government School under the ground of the over bridge being constructed on Thirumangalam to Senkottai Two ways road by considering the petitioner's representation dated 02.01.2025.

3.The petitioner herein had given representation to the respondents on 02.01.2025, in this regard. Since the said representation was 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 second respondent to consider the petitioner's representation dated 02.01.2025, on its own merits and pass appropriate orders in accordance with law, 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.]

30.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To

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M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

W.P.(MD)No.2582 of 2025

30.01.2025