



**W.P.(MD)No.2549 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.2549 of 2025**

Vinoth Venugopal

: Petitioner

Vs.

1.The District Collector / Monitoring Committee,  
Collectorate,  
Chettinaickenpatti,  
Dindigul – 624 004.

2.The Divisional Engineer,  
(C&M), Highways,  
Dindigul Division,  
Pandian Nagar,  
Dindigul – 624 001.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent to remove the number of thatched shops, Aavin milk booth, etc., situated



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at Dindigul – Karur Road forthwith as mentioned in the RTI Application dated 18.05.2024 based on the second respondent reply dated 14.06.2024.

For Petitioner : Mr.R.Devaraj

For Respondents 1 & 2 : Mr.S.Shaji Bino

Special Government Pleader

### **ORDER**

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[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.This writ petition has been filed for a Mandamus to direct the second respondent to remove the number of thatched shops, Aavin milk booth, etc., situated at Dindigul – Karur Road forthwith as mentioned in the RTI Application dated 18.05.2024 based on the second respondent's reply dated 14.06.2024.

3.Though the petitioner has sought for a direction to remove the alleged encroachments, he has not given any representation to the respondents in this regard. Hence, the petitioner is directed to give a



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fresh representation to the respondents for removal of the alleged encroachments, within a period of one [1] week from the date of receipt of a copy of this order.

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.

5.In the light of the above observations, there shall be a direction to the second respondent to consider the representation to be given by the petitioner, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein as well as all other persons, who may be interested in the subject property, within a period of three [3] months from the date of receipt of a copy of the said representation. It is made clear that this Court has not



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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

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**M.S.RAMESH, J.**

**and**

**A.D.MARIA CLETE, J.**

MR

**ORDER MADE IN**

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