



W.P.(MD)No.2613 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.2613 of 2025

Athimoolam

: Petitioner

Vs.

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The District Revenue Officer,
District Revenue Office,
Virudhunagar District.

3.The Revenue Divisional Officer,
Revenue Divisional Officer,
Sattur, Virudhunagar District.

4.The Tahsildar,
Tahsildar Office,
Vembakottai,
Virudhunagar District.



W.P.(MD)No.2613 of 2025

WEB COPY

5.The Block Development Office (Village Panchayat),
Vembakottai,
Virudhunagar District.

6.The Village Administrative Officer,
Village Administration Office,
Keelamarainadu,
Alangulam, Virudhunagar District.

7.Pandi : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 6 herein suitably to take appropriate steps as to remove the encroachment put up by the 7th respondent in old survey No.130/1, New Survey No. 1567/8, which is classified as Government Poromboke Vacant site situated at Keelamarainadu, Alangulam, Virudhunagar District by considering the representation dated 07.01.2025 given by the writ petitioner within the time limit fixed by this Court.

For Petitioner : Mr.S.Meena

For Respondents 1 to 4 : Mr.J.Ashok

Additional Government Pleader

For Respondent No.5 : Mr.S.Shaji Bino

Special Government Pleader



WEB COPY



W.P.(MD)No.2613 of 2025

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.This writ petition has been filed for a Mandamus to direct the respondents 1 to 6 herein to take appropriate steps as to remove the encroachment put up by the 7th respondent in old survey No.130/1, New Survey No.1567/8, which is classified as Government Poromboke Vacant site situated at Keelamarainadu, Alangulam, Virudhunagar District by considering the representation dated 07.01.2025 given by the writ petitioner.

3.Since this Court is directing the respondents 1 to 6 to consider the petitioner's representation, after giving due opportunity to the private respondent herein, notice to the private respondent is hereby dispensed with.

4.The petitioner herein had given representation to the official respondents on 07.01.2025, for removal of the alleged encroachments.



W.P.(MD)No.2613 of 2025

Since the said representation was not considered, the present writ petition has been filed.

5.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.

6.In the light of the above observations, there shall be a direction to the respondents 1 to 6 to consider the petitioner's representation dated 07.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein and the seventh respondent, 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 this order. It is made clear that this Court has not expressed any of its views with regard to the



W.P.(MD)No.2613 of 2025

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, 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



W.P.(MD)No.2613 of 2025

To

WEB COPY

1. The District Collector,
Virudhunagar,
Virudhunagar District.

2. The District Revenue Officer,
District Revenue Office,
Virudhunagar District.

3. The Revenue Divisional Officer,
Revenue Divisional Officer,
Sattur, Virudhunagar District.

4. The Tahsildar,
Tahsildar Office,
Vembakottai,
Virudhunagar District.

5. The Block Development Office (Village Panchayat),
Vembakottai,
Virudhunagar District.

6. The Village Administrative Officer,
Village Administration Office,
Keelamarainadu,
Alangulam,
Virudhunagar District.



WEB COPY



W.P.(MD)No.2613 of 2025

M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

W.P.(MD)No.2613 of 2025

30.01.2025