



W.P.(MD).No.2505 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.01.2025

CORAM

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

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Chelladurai

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
represented by,
The Secretary to Government,
Secretariat, Home Department,
St.George Fort,
Chennai.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Thoothukudi District.
- 4.The Assistant Director,
Department of Geology and Mining,
Thoothukudi District.
- 5.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.



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6. The Inspector of Police,
Puliyampatti Circle Police Station,
Thoothukudi District.

7.K.Vijaya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 5 to take necessary action against the 7th respondent based on petitioner's representation dated 18.11.2024 regarding cancellation of licence granted to her for running a quarry in S.No.84/2 situated at Aalantha Village, Srivaikundam Taluk, Thoothukudi District, within a time frame fixed by this Court.

For Petitioner : Mr.D.Srinivasaragavan
for Mr.D.Anbarasu

For R-1 to R-5 : Mr.P.Thilak Kumar
Government Pleader

For R-6 : Mr.P.Kottaisamy
Government Advocate (Crl. Side)

ORDER

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed for a Mandamus, directing the respondents 1 to 5 to take necessary action against the seventh respondent based on petitioner's representation dated 18.11.2024, regarding cancellation of



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licence granted to her for running a quarry in S.No.84/2 situated at Aalantha Village, Srivaikundam Taluk, Thoothukudi District, within a time frame fixed by this Court.

3. Since no adverse orders are going to be passed against the seventh respondent, notice to the seventh respondent is hereby dispensed with.

4. The petitioner herein had given a representation to the respondents 2 and 3 on 18.11.2024 to cancel the quarry license granted to the seventh respondent. 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.



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6. In the light of the above observations, there shall be a direction to the respondents 1 to 6 herein to consider the petitioner's representation dated 18.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the seventh respondent herein, as well as all other persons, who may be interested in the subject matter, 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.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

(M.S.R.,J.) (A.D.M.C.,J.)
29.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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To

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