



W.P.(MD)No.2467 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.2467 of 2025

and WMP (MD) No.1740 of 2025

A.Murugesan

: Petitioner

Vs.

Paramakudi Municipality,
Rep by its Commissioner,
Paramakudi,
Ramanathapuram District.

: Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to remove the lock put up by them on the petitioners premises bearing Door Nos. 7/280A and 7/280A1 Vaisiyar Street, Paramakudi Town.

For Petitioner : Mr. R.Subramaniam
for Mr.M.Saravanan

For Respondent : Mr.A.Prasanna Rajadurai



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ORDER

This Writ Petition has been filed seeking a Mandamus to the respondent to remove the lock put up by them on the petitioner's premises bearing Door Nos.7/280A and 7/280A1 Vaisiyar Street, Paramakudi Town.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner is the owner of the aforesaid building at Vaisiyar Street, Paramakudi Town, used for both business and residential purposes. The respondent has levied property taxes and a Garbage Tax for the building. The petitioner has been paying the dues regularly. However, on 08.01.2025, the respondent locked the premises, including the ground floor, without following proper due procedure of law. In this regard, the petitioner submitted a representation on 17.01.2025



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requesting action regarding this unlawful lock, but no action has been taken. Hence, left with no other option, the present writ petition has been filed by the petitioner.

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 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 respondent, to consider the petitioner's representation dated 17.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of two weeks from the date of receipt of a copy of this



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order. It is also 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 respondent to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

24.02.2025

Index : Yes / No

Internet : Yes / No

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To

The Commissioner.
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.



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VIVEK KUMAR SINGH, J.

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