



W.P.(MD)No.2926 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.2926 of 2025

and WMP (MD) No.2055 of 2025

C.Thangarasu

: Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

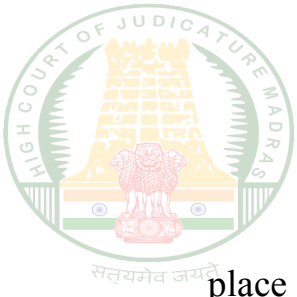
2. The Project Director,
District Rural Development Agency,
Sivagangai District.

3. The Block Development Officer,
Ilayankudi,
Sivagangai District.

4. The President,
Aranaiyur Panchayat,
Ilayankudi,
Sivagangai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to change the erection of a new Water Tank near Rajapuzhienthal to some



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place near Ayyanar Kovil, Aranaiyur, both at 4th respondent Panchayat to ensure proper supply to the people of the said area.

For Petitioners : Mr.M.Dinesh Hari Sudarsan

For Respondents : Mr.J.K.Jeyaseelan

Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking a mandamus, directing the respondents to change the erection of a new Water Tank near Rajapuzhienthal to some place near Ayyanar Kovil, Aranaiyur and to ensure proper supply of water to the people in the fourth respondent locality.

2. The grievance of the petitioner is that, although two water tanks have already been erected in Rajapuzhienthal Village, the respondents are constructing a new water tank in the same village, disregarding the fact that there is no water tank in Aranaiyur Village. In this regard, the petitioner submitted a representation dated 24.01.2025. However, since no action has been taken, the petitioner has now filed the present Writ Petition.



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3. Heard both sides.

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 first respondent to consider the petitioner's representation dated 24.01.2025, 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 four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its



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views with regard to the merits of the matter and that it is open to the
fifth 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.

18.02.2025

Index : Yes / No

Internet : Yes / No

PKN

To

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Sivagangai District,
Sivagangai.

2. The Project Director,
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Sivagangai District.

3. The Block Development Officer,
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VIVEK KUMAR SINGH, J.

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