



W.P.(MD).No.2864 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2864 of 2025

S.R.Suresh

... Petitioner

Vs.

1.The District Collector,
Tirunelveli,
Tirunelveli District

2.The Executive Engineer,
Public Works Department,
Sitraru Vadinila Kottam,
Tenkasi.

3.The Joint Director,
District Town and Country Planning,
Xavier Colony, South Bypass Road,
Tirunelveli.

4.Manoharan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's objection before granting permission by considering the petitioner's representation dated 11.01.2025 within the time stipulation as prescribed by this Court.



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For Petitioner : Mr.R.L.Dhilipan Pandian

For R-1 to R-3 : Mr.T.Amjad Khan,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.Considering the limited scope of the relief sought for by the petitioner herein, notice to the 4th respondent is dispensed with.

3.This writ petition is filed to direct the 3rd respondent to consider the petitioner's objection before granting permission by considering the petitioner's representation dated 11.01.2025.

4.Heard the learned counsels on either sides and carefully perused the materials available on record.

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 the respondent to consider the same on its own merits and



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pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6.Considering the limited scope of the relief sought for by the petitioner herein, this Court hereby direct the 3rd respondent to consider the petitioner's objection before granting permission by considering the petitioner's representation dated 11.01.2025 and pass appropriate orders in accordance with law after giving an appropriate opportunity of hearing to the petitioner as well as the 4th respondent. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

7.With the above directions, this writ petition is disposed of. There shall be no order as to costs.

30.01.2025

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



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Sml
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To

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L.VICTORIA GOWRI, J.

Sml

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30.01.2025