



W.P.(MD).No.2866 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.2866 of 2025

Roshan

... Petitioner

Vs.

1.The Director,
Director of Town and Country Planning,
2nd, 3rd and 4th Floor,
D and E Market Road,
Koyembedu,
Chennai 600 107.

2.The Member Secretary,
Trichirapalli Local Planning Authority,
Kaajamalai Main Road,
Kaajamalai,
Trichirapalli.

3.The Commissioner,
Corporation of Trichirapalli,
Trichirapalli City,
Trichirapalli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 and 3 to consider the petitioner's representation dated 07.12.2024 based on the circular issued by the 1st respondent office vide circular Roc.No. 4367/2019-BA2 dated



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05.02.2020 for reconveying the land extent of 6877 Square feet situated in T.S.No. 4/6, Survey Number 15/5, Devadhanam Village, Tiruchirapalli District.

For Petitioner : Mr.R.Karunanidhi
For R-1 & R-2 : Mr.D.S.Neduncheliyan,
Government Advocate
For R-3 : M/s.R.B.Law Associates

ORDER

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

2.This writ petition is filed to direct the respondents No.1 and 3 to consider the petitioner's representation dated 07.12.2024 based on the circular issued by the 1st respondent office vide circular Roc.No. 4367/2019-BA2 dated 05.02.2020 for reconveying the land extent of 6877 Square feet situated in T.S.No. 4/6, Survey Number 15/5, Devadhanam Village, Tiruchirapalli District.

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



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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 the respondent 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 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 respondents No.1 and 3 to consider the petitioner's representation dated 07.12.2024 and pass appropriate orders in accordance with law within a period of six (6) 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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