



W.P.(MD)No.3248 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3248 of 2025

K.Siva

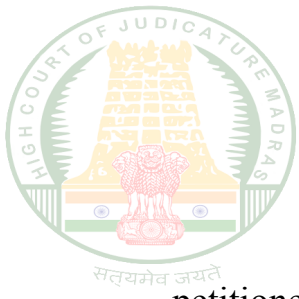
... Petitioner

-VS-

- 1.The District Collector,
Collectorate,
Madurai District, Madurai.
- 2.The Tahsildar,
Taluk Office,
Usilampatti Taluk, Madurai District.
- 3.The Block Development Officer,
Usilampatti Panchayat Union,
Usilampatti Taluk, Madurai District.
- 4.The President / Special Officer,
N.Ayyampatti Village Panchayat,
Nattarmangalam Post, Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 and 4 to divert the village drainage channel and connect with the main channel at N.Ayyampatti Village, Nattarmangalam Post, Usilampatti Taluk, Madurai District, on the basis of the



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petitioner's representation dated 21.01.2025 within the stipulated time to be fixed by this Court.

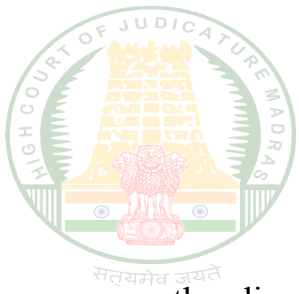
For Petitioner : Mr.A.Rajaram
For R1 and R2 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R3 and R4 : Mr.P.T.Thiraviam
Government Advocate

ORDER

This Writ Petition has been filed for a direction to the respondents 3 and 4 to divert the village drainage channel and connect with the main channel at N.Ayyampatti Village, Nattarmangalam Post, Usilampatti Taluk, Madurai District, on the basis of the petitioner's representation dated 21.01.2025.

2. Heard both sides. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. According to the petitioner, there are more than 100 houses in his village. The third respondent has constructed the village drainage channel on private property, which is damaging his cultivation and causing health hazards. Therefore, the petitioner submitted a representation to the respondents, requesting



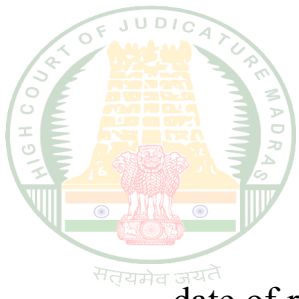
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the diversion of the drainage water flow to the main village drainage channel.

However, the respondents have not taken any action to divert the water from his land. Hence, the petitioner has filed the present Writ Petition.

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 the 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 respondents 3 and 4 herein to consider the petitioner's representation dated 21.01.2025, 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



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date of receipt of a copy of this 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 respondents 3 and 4 to consider the same on its own merits.

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

NCC : Yes / No

Index : Yes / No

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