



W.P.(MD)No.5190 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5190 of 2025

and WMP (MD) No.3796 of 2025

1. M.Bazeer

2. Fathima Gani

3. Jesheera Banu

4. Shabeena Banu

5. Ashmina Begam

: Petitioners

Vs.

1. The District Collector,
O/o.District Collector,
Pudukkottai District.

2. The Director of Town and Cou,
Ntry Planning, 2nd, 3rd, 4th Floor,
C and E Market Road,
Koyambedu,
Chennai - 600 107.

3. The Assistant Director of Town and Country Planning,
Pudukkottai District,
Pudukkottai.



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4. The Commissioner,
Aranthangi Municipality,
Aranthangi,
Pudukkottai District.

5. The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

6. The Tahsildar,
O/o.Tahsildar,
Aranthangi,
Pudukkottai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to conduct an enquiry into the matter and not to grant approval in Survey No. 222/1A in Aranthangi Municipality Ward 11 of Aranthangi Taluk of Pudukkottai District based upon the representation of the petitioner dated 10.02.2025.

For Petitioners : Mr. S.Ramsundarvijayraj

For Respondent : Mr.C.Venkatesh Kumar

Special Government Pleader



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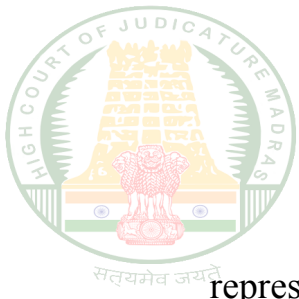
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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to conduct an enquiry into the matter and not to grant approval in Survey No. 222/1A in Aranthangi Municipality Ward 11 of Aranthangi Taluk of Pudukkottai District, by considering the representation of the petitioner dated 10.02.2025.

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

3. The petitioner, who is engaged in the real estate business, claims that his adjacent landowners, namely, Lakshmi, Kumaresan, Kannappan, and Vijaykumar, incorrectly indicated the road pattern, showing the petitioner's property in Survey No. 222/2 and submitted an application for approval to the Tamil Nadu Town and Country Planning Department. This, according to the petitioner, violates the provisions of the Tamil Nadu Town and Country Planning Act. Despite submitting a



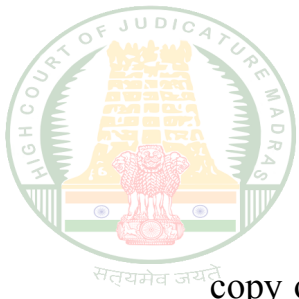
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representation on 10.02.2025, the petitioner states that no action has been taken. As a result, the petitioner is constrained to file the present writ petition.

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 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 1 to 3, to consider the petitioner's representation dated 10.02.2025, 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 one month from the date of receipt of a



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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 1 to 3, to consider the same on its own merits.

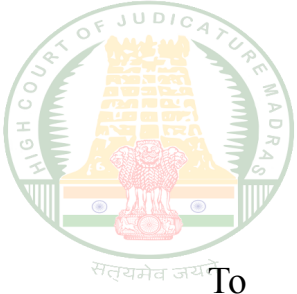
6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.02.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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