



W.P.(MD)No.4180 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4180 of 2023

and

WMP (MD) Nos. 985 of 2023 and 11155 of 2024

T.Harikrishnan

: Petitioner

Vs.

1. The District Registrar / General Manager,
District Industrial Centre , Sivagangai.

2. The Assistant Director,
Khadi and Village Industries , Madurai.

3. Manufacturing and Engineering Industrial
Co-Operative Society (SISCOS),
Rep.By its Secretary ,
Kundrakudi , Sivagangai.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to consider the petitioners explanations dated 29.11.2019,27.07.2020, 29.03.2022 and 27.01.2023 and fix the rate of rent of Room No.1 alone and not to impose any rent for the Room.No.4 , which was not handed over.

For Petitioners : Mr. Arumugam.H



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For Respondents : Mr.C.Venkatesh Kumar
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to consider the petitioner's explanations dated 29.11.2019, 27.07.2020, 29.03.2022 and 27.01.2023 and to fix the rate for Room No.1 only, without imposing rent for the Room.No.4, which was not handed over to the petitioner.

2. The petitioner claims that, despite being allotted two units by the third respondent through an agreement, one room, i.e., Room No. 1 was handed over to him. The main grievance of the petitioner is that, without considering this fact, the third respondent issued the impugned proceedings demanding payment of arrears of rent for the room that the petitioner has not been accommodated. In this regard, the petitioner submitted explanations on 29.11.2019, 27.07.2020, 29.03.2022 and 27.01.2023. Since no action has been taken on these representations, the petitioner has now filed the present Writ Petition.



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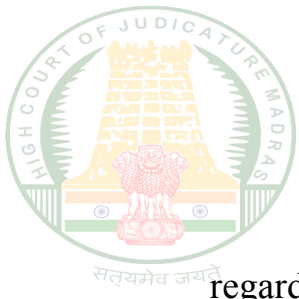


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3. Heard both sides.

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 third respondent to consider the petitioner's representations dated 29.11.2019, 27.07.2020, 29.03.2022 and 27.01.2023, 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 views with



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regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits. Until such an order is passed, the *status quo* shall be maintained by the third respondent.

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

19.02.2025

Index : Yes / No

Internet : Yes / No

PKN

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VIVEK KUMAR SINGH, J.

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