



W.P.(MD).No.5577 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5577 of 2024

J.Sathish Kumar

... Petitioner

-VS-

1. The Commissioner,
Madurai Corporation,
Madurai.

2. The Tahsildar,
Madurai South Taluk,
Madurai.

3. Mohamed Ibrahim

4. Hakkim

5. Mohamed Ali

6. T.K.Kumaran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the representation of this petitioner dated 14.02.2024 within the time stipulated by this Court.



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For Petitioner : Mr.M.Kannan

For Respondents : Mr.S.Vinayak (R1)

Mr.C.Venkatesh Kumar (R2)

Special Government Pleader

Mr.G.Aravinthan (R3 to R5)

No appearance (R6)

ORDER

This writ petition has been filed seeking for a direction to the 1st respondent to dispose of the representation made by the petitioner dated 14.02.2024 within the time stipulated by this Court.

2. Heard the learned counsel on either side.

3. The petitioner made a representation to the first respondent dated 14.02.2024, with regard to demolition of old building. Since the said representation was not considered, the petitioner has filed the present writ petition.



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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 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 first respondent to consider the petitioner's representation dated 14.02.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as all other persons, who may be interested in the subject matter, within a period of two months 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 regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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

04.03.2025

NCC : Yes/No
Index : Yes / No
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TO:-

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Madurai Corporation,
Madurai.
2. The Tahsildar,
Madurai South Taluk,
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.5577 of 2024

Dated:
04.03.2025