



W.P.(MD)No.6098 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6098 of 2025

1. Mathavan

2. K.Kanimozhi

: Petitioners

Vs.

1. The District Collector,
Madurai District.

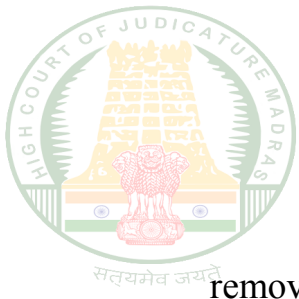
2. The Assistant Director (Panchayat),
Madurai District.

3. The Block Development Officer,
(Panchayat),
Melur,
Madurai District.

4. The President,
Keelaiyur Panchayat, Keelaiyur,
Melur Taluk,
Madurai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to



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remove the plastic water tank and tap pipes in the patta land in S.No. 348/4A1 in Keeliyur, Melur Taluk, Madurai District by the respondents No.3 and 4 herein based on the representations dated 13.07.2024.

For Petitioners : Mr. Ravichandran N.P

For Respondents : Mr.C.Venkatesh Kumar

Special Government Pleader

ORDER

The petitioners have filed this Writ Petition seeking a mandamus, directing the respondents to remove the plastic water tank and water pipes installed by the respondents No.3 and 4 on the patta land in S.No. 348/4A1, located in Keeliyur, Melur Taluk, Madurai District, based on their representation dated 13.07.2024.

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

3. The grievance of the petitioner is that the respondents 3 and 4 have installed a water tank, which occupies an area of 84 square



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meters, thereby obstructing the ingress and egress to his aforesaid property. In this regard, the petitioners submitted a representation dated 13.07.2024. However, since no action has been taken on the representation, the petitioners have 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 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 petitioners' representation dated 13.07.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioners, as well as all other persons, who may be interested in the subject matter,



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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 regard to the merits of the matter and that it is open to the first respondent 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.

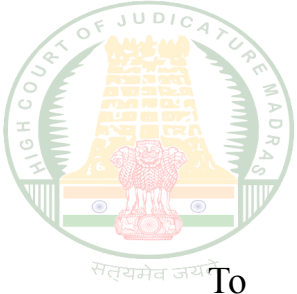
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Index : Yes / No

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Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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