



W.P.(MD)No.6670 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6670 of 2025

S.Srinivasan

... Petitioner

-VS-

1.The District Collector / Chairman,
Town Country Planning Authority,
Ramanathapuram, Ramanathapuram District.

2.The Assistant Director / Member Secretary,
Town and Country Planning Authority,
No.177/7, Kanikarai, Bank of Baroda,
2nd Floor, Ramanathapuram District.

3.The Executive Officer,
Kamuthi Town Panchayat, Kamuthi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the third respondent to grant final approval to the layout in an extent of 112 cents in S.No.616/11 and 616/12 at Kamuthi Village, Ramanathapuram District, in the light of the resolution passed by the third respondent Town Panchayat vide Resolution No.324, dated 09.01.2025, within the time period stipulated by this Court.



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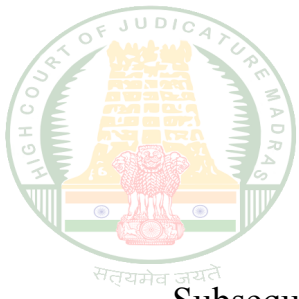
For Petitioner : Mr.T.Aswin Raja Simman
For R1 and R2 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R3 : Mr.S.Kameswaran
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to grant final approval to the layout in an extent of 112 cents in S.Nos.616/11 and 616/12 at Kamuthi Village, Ramanathapuram District, in the light of the resolution passed by the third respondent Town Panchayat vide Resolution No. 324, dated 09.01.2025.

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

3. The petitioner made an application on 07.01.2025 to the third respondent Town Panchayat Council, requesting to grant final approval for the layout upon payment of the prescribed fees. On 09.01.2025, the matter was placed before the third respondent Town Panchayat Council and it was resolved to grant approval.



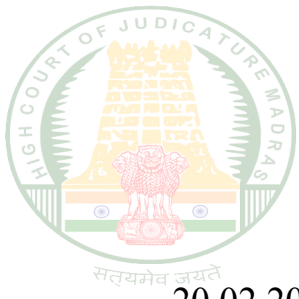
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Subsequently, the petitioner sent a representation on 20.02.2025 to the third respondent, requesting to grant final approval for the layout, based on the resolution passed by the third respondent Council in Resolution No.324. However, as no action was taken by the third respondent, the petitioner has approached this Court by filing the present writ petition.

4. Heard both sides.

5. 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.

6. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated



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20.02.2025, 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 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 third respondent to consider the same on its own merits.

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

NCC : Yes / No

Index : Yes / No

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VIVEK KUMAR SINGH, J.

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