



W.P.(MD)No.6677 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.6677 of 2025

P.Kamatchi

... Petitioner

-VS-

1.The Commissioner,
Madurai Corporation,
Madurai District.

2.The Assistant Commissioner,
Madurai Corporation Block – IV,
Madurai District.

3.The Assistant Engineer,
Ward - 88, Block -4,
Madurai Corporation,
Madurai District.

4.P.Pandi

5.P.Karnan

6.P.Lakshmi

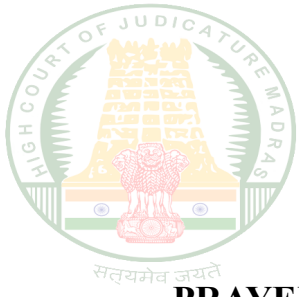
7.P.Nagarajan

8.P.Suresh

9.P.Prakash

10.P.Jayasudha

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action to demolish the said old building located at Door No.263, Mahalakshmi Kovil, 4th Street, Madurai - 625 011, at the cost of the respondents 4 to 10 and take necessary action on them for their non-compliance to the above said notices sent by the second respondent based on the petitioner's representation dated 01.03.2025.

For Petitioner : Mr.A.S.Murugan
For R1 to R3 : Mr.S.Vidyasagar
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to take necessary action to demolish the old building located at Door No. 263, Mahalakshmi Kovil, 4th Street, Madurai - 625 011, at the cost of the respondents 4 to 10 and take necessary action against them for their non-compliance to the notices sent by the second respondent, based on the petitioner's representation dated 01.03.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



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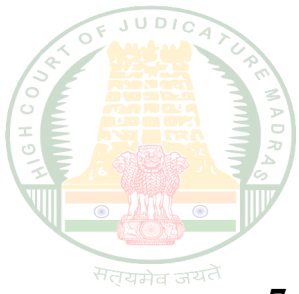
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3. Since no adverse orders are going to be passed against the respondents 4 and 10, notice to the respondents 4 and 10 is hereby dispensed with.

4. Seeking to demolish the old building, which belongs to the petitioner's siblings, who are arrayed as the respondents 4 to 10 herein and is in a dilapidated condition posing a danger to human lives, the petitioner sent a representation to the respondents 1 and 2 on 01.03.2025. However, as no action was taken by them, the petitioner has approached this Court by filing the present writ petition

5. Heard both sides.

6. 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.



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7. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 01.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, the respondents 4 to 10, 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 respondents 1 and 2 to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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