



W.P.(MD)No.6809 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6809 of 2025

G.Arumugam

: Petitioner

Vs.

1. The Commissioner,
Madurai Municipal Corporation,
Arignar Anna Maligai,
Madurai - 625 002.

2. The Assistant Commissioner (Revenue),
Madurai Municipal Corporation,
Arignar Anna Maligai,
Madurai - 625 002.

3.Suresh

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus,directing the 1st respondent, to dispose the petitioners representation dated 08.02.2025, within a time frame.

For Petitioner : Mr.G.Krishnan

For Respondents : Mr.K.K.Kannan for R1 and R2



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ORDER

This writ petition has been filed seeking a mandamus, directing the first respondent, to dispose the petitioner's representation dated 08.02.2025, within the specified time.

2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the third respondent is dispensed with.

3. The petitioner claims that he is engaged in a wholesale fruit selling business at Shop No. 238 in the Madurai Corporation's Mattuthavani Fruit Wholesale Market. The grievance of the petitioner is that, due to the money dispute, the third respondent unlawfully occupied the petitioner's shop, broke the wall, and altered the shop. In this regard, he submitted a representation to the first respondent. However, as no action has been taken on the representation, the petitioner has now filed the present writ petition.



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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 second respondent, to consider the petitioner's representation dated 08.02.2025, 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



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any of its views with regard to the merits of the matter and that it is open to the second 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.

24.02.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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