



W.P.(MD)No.7870 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7870 of 2025

Victoria Joseph

: Petitioner

Vs.

1.The Commissioner,
Corporation of Thanjavur,
Gandhiji Road,
Thanjavur – 600 001.

2.The Member Secretary,
Thanjavur Local Planning Authority,
No.5, Ganapathi Nagar 2nd Street,
Medical College Road,
Thanjavur – 613 001.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to grant the revised layout plan approval based on the application of the petitioner in Reference No.IY28V5B6 (15406) dated 04.09.2023 in the light of the proceedings issued by the second respondent vide ROC No.IY28V5B (15406/2024/TCP) to the petitioner's land property with an extent of 17245.87 Square Meter situated in Town Survey No.3566/3C, 3D, 3E and 3N at Block No.81, Ward No.6, Thanjavur, Thanjavur District by considering the petitioner's representation dated 02.09.2024.



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For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.C.Venkatesh Kumar
Spl.Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to grant the revised layout plan approval based on the application of the petitioner in Reference No.IY28V5B6 (15406) dated 04.09.2023 in the light of the proceedings issued by the second respondent vide ROC No.IY28V5B (15406/2024/TCP) to her property with an extent of 17245.87 Square Meter situated in Town Survey No.3566/3C, 3D, 3E and 3N at Block No. 81, Ward No.6, Thanjavur, Thanjavur District, by considering her representation dated 02.09.2024.

2. The petitioner claims to be the owner of the subject property and applied for a revised layout approval for house sites on 04.09.2023, which is still pending before the first respondent. In this regard, the petitioner submitted a detailed representation on 29.11.2024 to the first respondent, requesting approval. However, since no action has



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been taken on the representation, the petitioner has now approached this Court by filing the present writ petition.

3. Heard both sides.

4. It is needless to point out that whenever a representation/application 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 application dated 29.11.2024, 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,



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within a period of three 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 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.

21.03.2025

Index : Yes / No
Internet : Yes / No
PKN



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VIVEK KUMAR SINGH, J.

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