



W.P.(MD)No.8434 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8434 of 2025

and

W.M.P.(MD)No.6306 of 2025

G.K.Kannan

... Petitioner

-VS-

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 04.03.2025 and to provide an alternative site to run a petty shop near Anjaneyar Kovil, Thiruvalluvar Colony 2nd Street, Madurai.

For Petitioner : Mr.A.Jayaramachandran

For Respondent : Mr.S.Vidyasagar
Standing Counsel



W.P.(MD)No.8434 of 2025

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ORDER

This Writ Petition has been filed seeking a direction to the respondent to consider the petitioner's representation dated 04.03.2025 and to provide an alternative site to run a petty shop near Anjaneyar Kovil, Thiruvalluvar Colony 2nd Street, Madurai.

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

3. Seeking to provide an alternative site to run a petty shop near Anjaneyar Kovil, Thiruvalluvar Colony 2nd Street, Madurai, the petitioner submitted a representation on 04.03.2025 to the respondent. Since the representation has not been considered so far, the petitioner has filed 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



W.P.(MD)No.8434 of 2025

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 respondent herein to consider the petitioner's representations dated 04.03.2025, 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 one month 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 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. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No

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W.P.(MD)No.8434 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD)No.8434 of 2025

26.03.2025