



W.P.(MD)No.8525 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8525 of 2025

and

W.M.P.(MD)No.6388 of 2025

C.Revathi

... Petitioner

-VS-

1.The District Collector,
Madurai District.

2.The Block Development Officer,
Thiruparankundram Panchayat Union,
Madurai District.

3.The Executive Officer,
Karadipatti Village Panchayat,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 2 and 3 from constructing the bus stop in front of the petitioner's property bearing Plot No.50 in Re.S.No. 25/5A in Karadipatti Village, Nagamalai Pudukkottai, Madurai District, by obstructing the portion of the frontage of the petitioner's property.

For Petitioner

: Mr.K.Samidurai



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For R1

: Mr.K.S.Selva Ganesan
Additional Government Pleader

For R2

: Mr.V.Om Prakash
Government Advocate

ORDER

This Writ Petition has been filed seeking to forbear the respondents 2 and 3 from constructing the bus stop in front of the petitioner's property bearing Plot No.50 in Re.S.No.25/5A in Karadipatti Village, Nagamalai Pudukkottai, Madurai District, by obstructing the portion of the frontage of the petitioner's property.

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

3. Seeking to forbear the respondents 2 and 3 from constructing a bus stop in front of the petitioner's property, bearing Plot No.50 in Re.S.No.25/5A, Karadipatti Village, Nagamalai Pudukkottai, Madurai District, which would obstruct the petitioner to access to her property, the petitioner submitted a representation to the respondents 2 and 3 on 24.03.2025. Since the said representation has not been considered so far, the present Writ Petition has been filed.



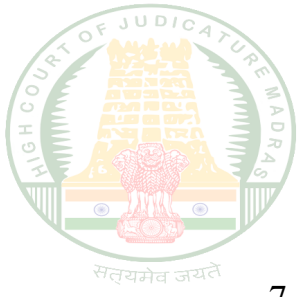
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4. Heard both sides.

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 herein to consider the petitioner's representation dated 24.03.2025, 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.



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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
smn2

26.03.2025

To:-

- 1.The District Collector,
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VIVEK KUMAR SINGH, J.

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