



W.P.(MD).No.8802 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8802 of 2025

Lakshmi Chand

... Petitioner

-VS-

1. The Commissioner,
Trichy City Corporation,
Bharathidasan Salai,
Cantonment,
Trichy - 1.

2. The Assistant Commissioner,
Trichy City Corporation,
Ward Committee-I,
Bharathidasan Salai,
Cantonment,
Trichy - 1.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to restore the underground drainage facility about petitioner's property at door No. 53, W.B.Road, Trichy - 8, in the light of the petitioner's representation dated 20.03.2025 within a stipulated period as may be fixed by this Court.



WEB COPY



W.P.(MD).No.8802 of 2025

For Petitioner : Mr.R.Sundar

For Respondents : Mr.Sai Prasad

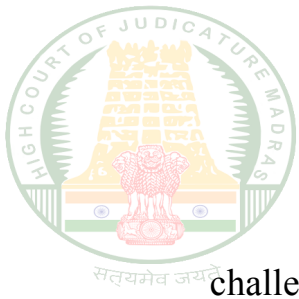
for M/s.R.B.Law Associates

ORDER

This writ petition has been filed seeking a direction to the respondents herein to restore the underground drainage facility of the petitioner's property at door No. 53, W.B.Road, Trichy - 8, in the light of the petitioner's representation dated 20.03.2025 within a stipulated period as may be fixed by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The case of the petitioner is that the petitioner is running a hotel and lodge in the aforementioned property and the respondents issued a notice dated 01.03.2025 demanding to pay a sum of Rs.6,13,453/- as property tax, water tax and underground drainage fee. While this being so, the respondents came to the petitioner's place and sealed the underground drainage pipes, without permitting the petitioner to pay even a minimum sum. Now, the petitioner is unable to do the business. The petitioner has also taken steps to



W.P.(MD).No.8802 of 2025

WEB COPY

challenge the enhancement of tax for the aforesaid property and made a representation to the respondents on 20.03.2025. However, the said representation was not considered and hence, the petitioner has filed the present Writ Petition.

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 and also considering the facts and circumstances of this case, there shall be a direction to the petitioner to pay 50% of the demanded amount within a period of one week from the date of receipt of a copy of this order and on receipt of such payment, the respondents are directed to restore the underground drainage facility in the aforementioned property forthwith and also to consider the petitioner's



W.P.(MD).No.8802 of 2025

WEB COPY

representation dated 20.03.2025, on its own merits and pass appropriate orders in accordance with law, within a period of six 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 to consider the same on its own merits.

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

01.04.2025

NCC : Yes/No
Index : Yes / No
sm

Note: Issue order copy on 03.04.2025.



W.P.(MD).No.8802 of 2025

WEB COPY

TO:-

1. The Commissioner,
Trichy City Corporation,
Bharathidasan Salai,
Cantonment,
Trichy - 1.
2. The Assistant Commissioner,
Trichy City Corporation,
Ward Committee-I,
Bharathidasan Salai,
Cantonment,
Trichy - 1.



WEB COPY



W.P.(MD).No.8802 of 2025

VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.8802 of 2025

Dated:
01.04.2025