



W.P.(MD).No.13120 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.13120 of 2025

K.Muthu Kumar

... Petitioner

-VS-

1. The District Collector,
District Collector Office,
Ramanathapuram District.
2. The Sub-Collector,
Sub-Collector Office,
Paramakudi, Ramanathapuram District.
3. The Regional Director of Municipal Administration,
Regional Director of Municipal
Administration and Water Supply Department,
Kochadai, Madurai.
4. The Deputy Superintendent Of Police,
DSP Office,
Paramakudi, Ramanathapuram District.
5. The Tahsildar,
Tahsildar Office,
Paramakudi,
Ramanathapuram District.
6. The Municipal Commissioner,
Municipal Commissioner Office,
Paramakudi, Ramanathapuram District.



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7. The Inspector of Police (Law And Order),
Paramakudi,
Ramanathapuram District.

8. Rajammal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.3 to 7 to consider the representation dated 18.03.2025 and take necessary action to provide drinking water and a proper sewage disposal system to our residence and to relieve our family from the unbearable hardship of manually removing sewage daily.

For Petitioner : Mr.B.Narayanram

For Respondents : Mr.C.Venkatesh Kumar (R1-R3& R5)
Special Government Pleader
Mr.K.Gnanasekaran (R4 & R7)
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed seeking a direction to the respondents 3 to 7 to consider the representation dated 18.03.2025 and take necessary action to provide drinking water and a proper sewage disposal system to our residence and to relieve our family from the unbearable hardship of manually removing sewage daily.



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2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Considering the nature of the order going to be passed in this writ petition, notice to the private respondent is dispensed with.

3. The case of the petitioner is that due to the civil dispute pending between the parties, the basic amenities such as providing drinking water and proper sewage disposal system have not been given by the official respondents. Hence, the petitioner made a representation to the respondents dated 18.03.202. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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.



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5. In the light of the above observations, there shall be a direction to the sixth respondent to consider the petitioner's representation dated 18.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, 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 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.

29.04.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.13120 of 2025

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