



W.P.(MD).No.11776 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.11776 of 2025

R.Kandhasamy

... Petitioner

-VS-

1. The Director,
Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor,
C and E Market Road,
Koyembedu,
Chennai.

2. The Assistant Director,
The Assistant Director of Town and Country Planning,
Kajamalai Manin Road,
Kajamalai,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent No.2 to receive and accept the application for regularising and realignment of pathway for 12th set of plots comprised in Old S.F.No. 335/2C New T.S.No.23 in AV ward in Block No.13, Ponmalai Zone, Trichy within the stipulated time given by the High Court.

For Petitioner : Ms.V.Sujatha

For Respondents : Mr.J.K.Jayaselan

Government Advocate



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ORDER

This writ petition has been filed seeking a direction to the second respondent to receive and accept the application for regularising and for realignment of pathway for 12th set of plots comprised in Old S.F.No. 335/2C New T.S.No.23 in AV ward in Block No.13, Ponmalai Zone, Trichy.

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

3. One Reddiyar Nagar was developed exclusively for Reddiyar community through a collective initiative named Sudhakar Real Estate. Set 1 to 10 were developed in sequence with internal road access on one side. Due to obstructions of a third party, set 11, 12 and 13 lacks access route and the only viable solution for this issue is realignment of existing southern pathway. With regard to the same, the petitioner made a representation to the respondents dated 19.03.2025 and the respondents issued a letter dated 03.04.2025, redirecting the petitioner to produce certain documents. Hence, the petitioner has filed the present Writ Petition seeking the aforesaid relief.



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4. Further, 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.

5. In the light of the above, there shall be a direction to the petitioner to make a fresh representation before the respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondents are directed to consider the same on its own merits and pass appropriate orders in accordance with law, within a period of four weeks thereafter. 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



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disposed of. There shall be no order as to costs.

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NCC : Yes/No
Index : Yes / No
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Note: Issue order copy on 25.04.2025.



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TO:-

1. The Director,
Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor,
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Koyembedu,
Chennai.

2. The Assistant Director,
The Assistant Director of Town and Country Planning,
Kajamalai Manin Road,
Kajamalai,
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.11776 of 2025

Dated:
24.04.2025