



W.P.(MD).No.13148 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.13148 of 2025
& WMP(MD)No.9393 of 2025

P.Periyasamy

... Petitioner

-vs-

1. The District Collector,
O/o. District Collector,
Dindigul.

2. The Assistant Director of Town Panchayat,
Dindigul District, Dindigul.

3. The Executive Officer,
Town Panchayat Office,
Nilakkottai,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to allot one shop to the petitioner on the basis of the petitioner's representation dated 08.03.2025.

For Petitioner : Mr.M.Sheik Abdullah

For Respondents : Mr.C.Venkatesh Kumar (R1 & R2)

Special Government Pleader

Mr.M.Senthil Ayyanar (R3)

Government Advocate



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ORDER

This writ petition has been filed seeking a direction to the respondents to allot one shop to the petitioner on the basis of the petitioner's representation dated 08.03.2025.

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

3. The petitioner is an agriculturalist and there is no place for the petitioner to sell his garden flowers in the market. Hence, the petitioner made a representation to the respondents dated 08.03.2025 to allot one shop for the petitioner. 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



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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, there shall be a direction to the third respondent to consider the petitioner's representation dated 08.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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. Consequently, connected miscellaneous petition is closed.

29.04.2025

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

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TO:-

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O/o. District Collector,
Dindigul.
2. The Assistant Director of Town Panchayat,
Dindigul District, Dindigul.
3. The Executive Officer,
Town Panchayat Office,
Nilakkottai,
Dindigul District.

Order made in
W.P.(MD)No.13148 of 2025

Dated:
29.04.2025