



W.P.(MD).No.13019 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.13019 of 2025

Muniyandi

... Petitioner

-VS-

1. The District Collector,
Tenkasi District, Tenkasi
2. The Revenue Divisional Officer,
Sankarankovil Division, Tenkasi District.
3. The Inspector of Police,
Sivagiri Police Station, Tenkasi District.
4. Velsami

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents Nos.1 to 3 to retrieve petitioner land measuring 30 cent comprised in S.No.1037/3A, and 15 Sq.M land comprised in old natham S.No.1033, new natham S.No.1515/3,4 all situated at Viswanathaperi Village, Sivagiri (TK), Tenkasi District, from the encroachment of 4th respondent, on the basis of his representation dated 23.04.2025.



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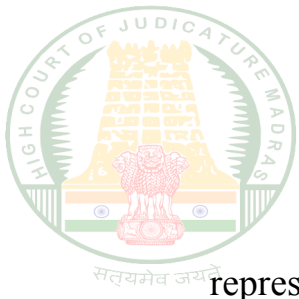
For Petitioner : Mr.T.Indrachithu
For Respondents : Mr.J.K.Jayaselan,
Govt. Advocate [R1 & R2]
Mr.K.Gnanasekaran,
Govt. Advocate(Crl.side) [R3]

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 3 to retrieve petitioner's land measuring 30 cents comprised in S.No. 1037/3A, and 15 Sq.M of land comprised in old natham S.No.1033, new natham S.No.1515/3,4 all situated at Viswanathaperi Village, Sivagiri (TK), Tenkasi District, from encroachment of the 4th respondent, on the basis of his representation dated 23.04.2025.

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. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that though larger relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the



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representation of the petitioner is disposed of in accordance with law. The petitioner made a representation to the respondents dated 23.04.2025 seeking for the aforesaid relief.

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.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 23.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent, as well as all other persons, who may be necessary 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



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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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TO:-

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3. The Inspector of Police,
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VIVEK KUMAR SINGH, J.

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Order made in
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Dated:
29.04.2025