



W.P.(MD).No.12718 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.12718 of 2025

P.Periyannan Arasu

... Petitioner

-VS-

**The Executive Officer,
Tamilnadu Housing Board,
Tiruchirapalli Housing Board,
Kajamalai Colony,
Tiruchirapalli.**

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 25.02.2025 and to pass orders within a time frame stipulated by this Court.

For Petitioner : Mr.S.Venkatesh

For Respondent : Mr.M.Suresh

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 25.02.2025.



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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 even though no allotment order was passed in favour of the petitioner, the possession of the shop was given to the petitioner, based on the successful bid in the year 2004. However, due to the continuous litigations thereafter, the possession was not handed over to the petitioner. Hence, the petitioner made a representation to the respondents dated 25.02.2025 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 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 respondent to consider the petitioner's representation dated 25.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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.

29.04.2025

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

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TO:-

1. The Executive Officer,
Tamilnadu Housing Board,
Tiruchirapalli Housing Board,
Kajamalai Colony,
Tiruchirapalli.

Order made in
W.P.(MD)No.12718 of 2025

Dated:
29.04.2025