



W.P(MD)No.25873 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.01.2025

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.25873 of 2024

P.PRASANNA

... PETITIONER

vs.

1 THE DISTRICT COLLECTOR
MADURAI DISTRICT,
MADURAI.

2 THE ASSISTANT DIRECTOR OF TOWN
AND COUNTRY PLANNING,
AANAIYUR-MUDAKATHAN MAIN ROAD,
SECTOR -6, KODAL PUDHUR,
OPP TO VAIGAI APARTMENTS,
MADURAI.

3 THE THASILDAR
MADURAI NORTH TALUK,
MADURAI DISTRICT.

4 THE BLOCK DEVELOPMENT OFFICER
MADURAI WEST PANCHAYAT UNION.
MADURAI DISTRICT.

5 THE PANCHAYAT PRESIDENT
AALATHUR PANCHAYAT,
AALATHUR, MADURAI DISTRICT.



W.P(MD)No.25873 of 2024

6 KARUPPANAN

... RESPONDENTS

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Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the readymade compound wall blocked on the road areas in the layout of the 6th respondent namely Sri Annai Meenakshi Nagar, North (Extn-II) in Alathur Village, Madurai West Panchayat Union, Madurai District by considering the petitioner's representation dated 21.09.2024 within time limit as prescribed by this Honourable Court.

For Petitioner : Mr.B.Saravanan, Senior Counsel for
Mr.K.K.Mahesh Raja
For R1 to R5 : Mr.P.Thilakkumar, Government Pleader
For R6 : Mr.G.Prabhu Rajadurai

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

This writ petition has been filed for a Mandamus, directing the respondents 1 to 5 to remove the ready-made compound wall blocked on the road areas in the layout of the 6th respondent namely, Sri Annai Meenakshi Nagar, North (Extn-II) in Alathur Village, Madurai West Panchayat Union, Madurai District, by considering the petitioner's representation dated 21.09.2024 within a time frame.



W.P(MD)No.25873 of 2024

WEB COP 2.

Alleging that the 6th respondent has blocked the road areas in the abovesaid place, by putting up a ready-made compound wall, the petitioner made a representation dated 21.09.2024, to the official respondents to take appropriate action and finding no heed to it was paid, he has filed the present writ petition.

3. Heard both sides.

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 the India and direct them to consider the same within a stipulated time.



W.P(MD)No.25873 of 2024

5. In the light of the above observations, there shall be a direction to the official respondents to consider the petitioner's representation dated 21.09.2024 in the light of the proceedings of the 2nd respondent in Na.Ka.No.3290/2024/1055, dated 03.10.2024 and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, private respondent, as well as all other persons, who may be interested in the subject property, within a period of three months from the date of receipt of a copy of this order. It is 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 concerned respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs.

(M.S.R, J.) (A.D.M.C, J.)
24.01.2025

Index : Yes / No
Neutral Citation : Yes / No
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