



W.P.(MD)No.30762 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.30762 of 2024

P.Ravichandra Prakash

... Petitioner

Vs.

1.The Town and Country Planning Officer,
Town and Country Planning Authority,
Thenkasi District.

2.The Revenue Divisional Officer,
Sankarankovil Revenue Divisional Office,
Sankarankovil Taluk,
Thenkasi District.

3.The Tahsildar,
Taluk Office,
Sankarankovil Taluk,
Thenkasi District.

4.The Assistant Director of Town
and Country Planning,
Thenkasi.

... Respondents

(R4 is suo-motu substituted vide Court order
dated 18.12.2024 in W.P.(MD)No.30762/2024)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 4 to grant building permission based online application dated 12.07.2023 and also direct



W.P.(MD)No.30762 of 2024

the 2nd and 3rd respondents to grant No Objection Certificate to the petitioner for lands bearing SF.No. 211/3, 211/5 and 211/6, 209/7, 210/1C, 210/1D, 210/D, 211/1 in Patta No.5355 situate at Kurukallpatti Village, Sangarankovil Taluk, Tenkasi District for constructing school building by considering petitioner's representations dated 01.10.2024 and dated 10.12.2024 and online application submitted before the 1st respondent dated 12.07.2023 within the time stipulated by this Court.

For Petitioner : Mr.A.Aruljenifer
For Respondents : Mr.T.Amjadkhan,
Government Advocate (R1 to R3)
Mr.D.Sachikumar,
Additional Government Pleader (R4)

ORDER

This writ petition has been filed seeking for a direction to the respondents to consider the petitioner's representations dated 01.10.2024 and 10.12.2024 and the online application submitted before the 1st respondent dated 12.07.2023 for grant of No Objection Certificate to the petitioner with respect of the lands bearing SF.No. 211/3, 211/5 and 211/6, 209/7, 210/1C, 210/1D, 210/D, 211/1 in Patta No.5355 situated at Kurukallpatti Village, Sangarankovil Taluk, Tenkasi District, for the purpose of construction of school building.



W.P.(MD)No.30762 of 2024

WEB COPY

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. The petitioner has also made representations on 01.10.2024 and 10.12.2024 and the online application submitted before the 1st respondent dated 12.07.2023 for grant of No Objection Certificate to the petitioner with respect of the lands bearing SF.No. 211/3, 211/5 and 211/6, 209/7, 210/1C, 210/1D, 210/D, 211/1 in Patta No.5355 situated at Kurukallpatti Village, Sangarankovil Taluk, Tenkasi District, for the purpose of construction of school building. Since the same has not been considered, this writ petition has been filed.

5. 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 the respondent 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 made by the Statutory Authority would



W.P.(MD)No.30762 of 2024

amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. In view of the same, this Court, without going into the merits of the case, hereby direct the respondents to consider the petitioner's representations on 01.10.2024 and 10.12.2024 and the online application submitted before the 1st respondent dated 12.07.2023 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

09.01.2025

NCC : Yes / No
Index : Yes / No
Sm



W.P.(MD)No.30762 of 2024

TO:-

WEB COPY

- 1.The Town and Country Planning Officer,
Town and Country Planning Authority,
Thenkasi District.
- 2.The Revenue Divisional Officer,
Sankarankovil Revenue Divisional Office,
Sankarankovil Taluk,
Thenkasi District.
- 3.The Tahsildar,
Taluk Office,
Sankarankovil Taluk,
Thenkasi District.
- 4.The Assistant Director of Town
and Country Planning,
Thenkasi.



WEB COPY



W.P.(MD)No.30762 of 2024

L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.(MD)No.30762 of 2024

Dated:
09.01.2025