



**W.P.(MD)No.368 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 09.01.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**and**

**THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD)No.368 of 2025**

C.Esakkimuthu

: Petitioners

Vs.

- 1.The State of Tamil Nadu,  
Represented by the Principal Secretary of Government,  
Highways Department,  
Fort St. George,  
Chennai.
- 2.The Divisional Engineer,  
Highways Department (Construction and Maintenance),  
Thoothukudi, Thoothukudi District.
- 3.The Assistant Divisional Engineer,  
Highways (Construction and Maintenance),  
Sathankulam, Thoothukudi District.



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4.The Chairman,

Sathankulam Panchayat Union,

Sathankulam Taluk,

Thoothukudi District.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to widen the road which starts from Periyathalai (ECR Road) to Tisaiyanvillai, Sathankulam Taluk and Thoothukudi District within the time stipulated by this Court.

For Petitioner : Mr.R.Balakrishnan

For Respondents 1 to 3 : Mr.P.Thilak Kumar

Government Pleader

### **ORDER**

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[Order of the Court was made by **M.S.RAMESH, J.**]

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.



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2.This writ petition has been filed for a Mandamus to direct the respondents to widen the road which starts from Periyathalai (ECR Road) to Tisaiyanvillai, Sathankulam Taluk and Thoothukudi District within the time stipulated by this Court.

3.The petitioner herein had given a representation to the official respondents on 06.11.2024, in this regard. Since the said representation was not considered, the present writ petition has been filed.

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.



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5.In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 06.11.2024, on its own merits and pass appropriate orders in accordance with law, within a period of three [3] 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, this Writ Petition stands disposed of. There shall be no order as to costs.

**[M.S.R.,J.] & [A.D.M.C.,J.]**

**09.01.2025**

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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To

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**M.S.RAMESH, J.**

**and**

**A.D.MARIA CLETE, J.**

MR

**ORDER MADE IN**

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