

W.P.(MD)No.31472 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.31472 of 2024

Karikalan

: Petitioner

Vs.

1.The District Collector,
Collectorate Campus,
Karur, Karur District.

2.The District Revenue Officer,
Collectorate Campus,
Karur, Karur District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Kulithalai,
Karur District.



W.P.(MD)No.31472 of 2024

WEB COPY

4.The Tahsildar,
Taluk Office,
Kulithalai,
Karur District.

5.The Block Development Officer,
Panchayat Union,
Thogimalai,
Karur District.

6.Mani Gounder

7.Vel Gounder

8.Murugan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th, 7th & 8th respondents at Survey No.387/1, situated at Kallanguthu, Thirumanickampatti Village, Kulithalai Taluk, Karur District, which is Government poramboke land as per information received from the fifth respondent through RTI Act and provide pathway to the Micro Compost Centre.



W.P.(MD)No.31472 of 2024

WEB COPY

For Petitioner : Mr.R.Murugappan

For Respondents 1 to 5 : Mr.P.Thilak Kumar

Government Pleader

ORDER

[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.

2.This writ petition has been filed for a Mandamus to direct the respondents 1 to 5 to remove the encroachment made by the 6th, 7th & 8th respondents at Survey No.387/1, situated at Kallanguthu, Thirumanickampatti Village, Kulithalai Taluk, Karur District, which is a Government poramboke land as per information received from the fifth respondent through RTI Act and provide pathway to the Micro Compost Centre.

3.Since this Court is directing the official respondents to consider the petitioner's representation, after giving due opportunity to



W.P.(MD)No.31472 of 2024

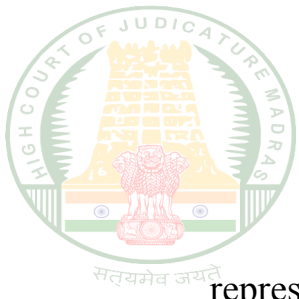
WEB COPY

the private respondents herein, notice to the private respondents is hereby dispensed with.

4.The petitioner herein had given a representation to the official respondents on 18.12.2024, in this regard. Since the said representation was not considered, the present 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 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.

6.In the light of the above observations, there shall be a direction to the respondents 1 to 5 to consider the petitioner's



W.P.(MD)No.31472 of 2024

WEB COPY

representation dated 18.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as the respondents 6 to 8 and any other person who may be interested in the subject matter, 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.

7. 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.]

06.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



W.P.(MD)No.31472 of 2024

WEB COPY

To

- 1.The District Collector,
Collectorate Campus,
Karur, Karur District.
- 2.The District Revenue Officer,
Collectorate Campus,
Karur, Karur District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Kulithalai,
Karur District.
- 4.The Tahsildar,
Taluk Office,
Kulithalai,
Karur District.
- 5.The Block Development Officer,
Panchayat Union,
Thogimalai,
Karur District.



WEB COPY



W.P.(MD)No.31472 of 2024

M.S.RAMESH, J.

and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

W.P.(MD)No.31472 of 2024

06.01.2025