



WP(MD). No.468 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

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**M/s. Vsj City Properties
rep. by its Partner V.S.Amaradhan**

... Petitioner

Vs

**1. The District Collector,
District Collectorate,
Pudukkottai District..**

**2. The Block Development Officer,
Block Development Office,
Viralimalai,
Pudukkottai District..**

**3. The President,
Mathur Town Panchayat Office,
Mathur,
Pudukkottai District..**

4. K.Gandhi

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to take action against the 4th respondent by

1/5



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unlawfully putting up flex board in the public pathway/road and obstructing the Petitioner and other public from accessing the public pathway/road in the layout in survey numbers 18/7B1 and 18/7B3A1 at Mathur Village, Kulathur Taluk, Pudukkottai District based on the petitioner's representation dated 29.11.2024 within the time stipulated by this Court.

For Petitioner : Mr.D.Boopal
For Respondents : Mr.S.Shaji Bino for R1 & R2
Special Government Pleader
Mr.B.Jameelarasu for R4

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. The petitioner has filed this writ petition for a mandamus to direct the respondents 1 to 3 to take action against the 4th respondent by unlawfully putting up flex board in the public pathway/road and obstructing the Petitioner and other public from accessing the public pathway/road in the layout in survey numbers 18/7B1 and 18/7B3A1 at Mathur Village, Kulathur Taluk, Pudukkottai District based on the petitioner's representation dated 29.11.2024.



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3. For taking action against the 4th respondent for putting up flex board in the public pathway, the petitioner has given a representation to the official respondents on 29.11.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this petition.

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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.

5. In the light of the above observations, there shall be a direction to the respondents 1 to 3 herein to consider the petitioner's representation/application dated 29.11.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity



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to the petitioner and the 4th respondent as well as all other persons, who may be interested in the subject matter, 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]

08.01.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The District Collector,
District Collectorate,
Pudukkottai District..

2. The Block Development Officer,
Block Development Office,
Viralimalai,
Pudukkottai District..



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M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
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