

W.P.(MD)No.53 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.53 of 2025

Ravichandran

: Petitioner

Vs.

1.The District Collector / Monitoring Committee,
Karur District,
Karur.

2.The Joint Director,
Town and Country Planning,
Karur District,
Karur.

3.The Assistant Director,
Town and Country Planning,
Karur District.
Karur.



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4.The Revenue Divisional Officer,
Karur District,
Karur.

5.The Tahsildar,
Karur,
Karur District.

6.The Executive Officer,
Puliyur Town Panchayat,
Puliyur,
Karur District.

7.D.Baskaran

8.E.Karthikeyan

9.T.Jegadeesh

10.K.Gunasekaran

11.B.Karunakaran

12.K.Leela

13.M.Kannaiyan

14.K.Palanisamy

15.P.Meenakshi

16.B.Arun

17.B.Saravanan

18.P.Sasikumar

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the official respondents 1 to 6 to remove the encroachment made by the respondents 7 to 18 in Government poramboke land in S.F.No.1648/a, situated at Puliur Village, Karur Taluk, Karur District, on the basis of the representation given by the petitioner dated 21.09.2022, 14.12.2022, 17.10.2023, 04.03.2024, 11.03.2024, 24.04.2024, 21.06.2024 and 14.12.2024.

For Petitioner : Mr.S.Manojkumar

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

Government Pleader

For Respondents 7 to 18 : Mr.K.Suresh

O R D E R

[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 official respondents 1 to 6 to remove the encroachment made by the respondents 7 to 18 in Government poramboke land in S.F.No.1648/a, situated at Puliur Village, Karur Taluk, Karur District, on the basis of the representation given by the petitioner dated 21.09.2022, 14.12.2022, 17.10.2023, 04.03.2024, 11.03.2024, 24.04.2024, 21.06.2024 and 14.12.2024.

3.Since this Court is directing the official respondents to consider the petitioner's representation, after giving due opportunity to the private respondents herein, notice to the private respondents is hereby dispensed with.

4.The petitioner herein had given representation to the official respondents on 16.12.2024, for removal of the alleged encroachment. Since the said representation was not considered, the present writ petition has been filed.



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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 official respondents to consider the petitioner's representation dated 16.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner herein and respondents 7 to 18, as well as all other persons, who may be interested in the subject property, 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.



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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.]

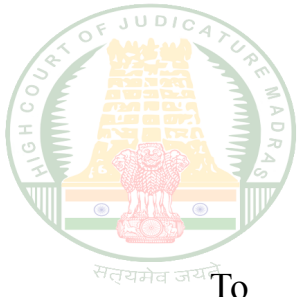
07.01.2025

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To

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and

A.D.MARIA CLETE, J.

MR

ORDER MADE IN

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