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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

WP(MD) No. 31079 of 2026

CNR:{HCMD011541222026}

Case QR

Asokan N
Panikkampatti,
Marudur Village,
Kulithalai Taluk,
Karur District

..Petitioner(s)

Vs

1. The Director of Town Panchayats
   Directorate Of Town Panchayats,
   7th and 8th Floors,
   Urban Administrative Building Campus,
   Raja Annamalaipuram,
   Chennai - 600 028Chennai

2. The District Collector
   Karur District,
   Karur

3. The Executive Officer
   Marudur Town Panchayat,
   No. 103,
   Kudi Street,
   Marudur Post,
   Kulithalai Taluk,
   Karur District - 639 107

4. Karthika alias Lakshmi
   Survey No. 518/1G,
   Panikkampatti,
   Marudur Village,
   Kulithalai Taluk,
   Karur District - 639 107.

..Respondent(s)

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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 consider and act upon the Petitioners representation dated 09.09.2026, conduct an immediate field inspection, halt the unauthorized commercial construction over the dilapidated building adjacent to Survey No. 518/1G, Marudur Village, Kulithalai Taluk, Karur District, and remove the illegal superstructure in accordance with law, within a time-frame fixed by this Court.

For Petitioner(s) :M/s J.K.Jayaselan

For Respondent(s) : Mr.T.Thirumurugan – for R1 & R2
Special Government Pleader

Mr.W.Pamelin – for R3
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents 1 to 3 to consider and act upon the Petitioner's representation dated 09.09.2026, conduct an immediate field inspection, halt the unauthorized commercial construction over the dilapidated building adjacent to Survey No. 518/1G, Marudur Village, Kulithalai Taluk, Karur District, and remove the illegal superstructure in accordance with law, within a time-frame fixed by this Court.

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2. The learned counsel for the petitioner submitted that petitioner is the absolute owner in possession and enjoyment of the property situated at Survey No.518/1G Marudur Village, Kulithalai Taluk, Karur District, where he is residing. The immediate adjacent property to the southern boundary of the petitioner's property lies as a parcel of land belonging to one Prithvi, Son of Senthilkumar. The original owner is working abroad and taking advantage of his absence, the 4th respondent claiming to be in control and possession of the said property, has embarked upon making unauthorised commercial constructions without obtaining proper permission from the necessary authorities. Hence the petitioner had made a representation in this regard to take appropriate action against the fourth respondent herein. Since, the same was not considered, this Writ Petition is filed.

3. The learned counsel for the respondents submitted that the petitioner's representation would be considered.

4. Heard either sides and carefully perused the materials available on record. Since no adverse order is proposed to be passed as against the fourth respondent, notice to the fourth respondent is dispensed with.

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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 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 third respondent to consider the petitioner's representation dated 09.09.2026, on its own merits and pass appropriate orders in accordance with law, after giving notice to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also 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 respondents to consider the same on its own merits.

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7. With the above observations and directions, this Writ Petition stands disposed of. No costs.

02-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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L.VICTORIA GOWRI, J.
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