



W.P.(MD) No.12510 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.(MD) No.12510 of 2023
and
W.M.P(MD) No.10575 of 2023

Dhanalakshmi

...Petitioner

Vs

1. District Collector,
Thoothukudi District,
Thoothukudi- 628 101.
2. Superintendent of Police,
Thoothukudi District,
Thoothukudi- 628 101.
3. Director General,
Unique Identification Authority of India-Regional Office,
Khanjia Bhavan,
No. 49, 3rd Floor, South Wing,
Race Course Road, Bengaluru- 560 001.
4. Tahsildar,
UIDAI -Thoothukudi District,
C/o.Tamil Nadu Arasu Cable TV Corporation,



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Collectorate Complex,
Thoothukudi- 628 101.

5. Tashildar,
Tiruchendur Taluk, Tiruchendur- 628 215.

6. Commissioner,
Tiruchendur Municipality,
Tiruchendur- 628 215.

7. Revenue Inspector,
Tiruchendur Revenue,
Tiruchendur- 628 215.

8. Village Administrative Officer,
Keezha Tiruchendur Village,
Tiruchendur- 628 215.

9. Inspector of Police,
Tiruchendur Temple Police Station,
Tiruchendur- 628 215.

10. Medical Officer,
Primary Health Centre,
Pitchaivilai Primary Health Centre,
Pitchaivilai- 628 219.

11. Komu

12. Sankari

13. Balasubramanian @ Iyyappan

14. Balasubramanian @ Balu

15. Bhuvaneshwari

16. Santhanakumar



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17. Rajesh @ Iyyappan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents No.1 and 4 to conduct an Enquiry related to allegations raised in the Representations of the petitioner dated 24.09.2022 and 17.05.2023 by affording sufficient opportunity of hearing to the petitioner to produce materials and clarification and take appropriate action based on findings of the Enquiry within stipulated time.

For Petitioner : Mr.S.Sankar

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R1 to R5, R7 to R10

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. Since this Court is directing the fourth respondent to consider the petitioner's representation, after giving notice and due opportunity to respondents 11 to 17, notice to respondents 11 to 17 is hereby dispensed with.



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3. The petitioner herein had given a representation to the official respondents on 17.05.2023 seeking for an enquiry in respect of allegations raised in the said representation. 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 the respondents 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 Constitution of 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 fourth respondent herein to consider the petitioner's representation, dated 17.05.2023, on its own merits and pass appropriate orders in



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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 claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

6. With the above directions, the writ petition stands disposed of.

No costs.

25.05.2023

Index: Yes/No

Speaking order/Non-speaking order
pkn

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M.S.RAMESH,J.

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