



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17392 of 2018

WEB COPY

M.Ilayaraja

... Petitioner

vs.

The Commissioner,
Melur Municipality,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondent to disburse the Earnest Money Deposit (EMD) 1%, Additional Security Deposits 5%, Additional Deposit 1% for the completed tender works between 2012-2013 to 2016-2017 within a time limit stipulated by this Court by considering the representation of the petitioner dated 05.04.2018.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondent : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.

O R D E R

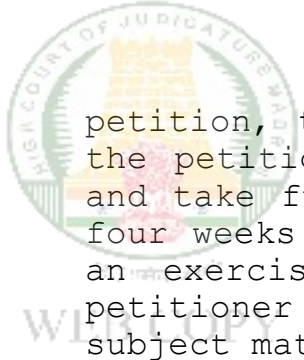
Mr.J.Gunaseelan Muthiah,, learned Additional Government Pleader, takes notice for the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 05.04.2018, seeking to disburse the Earnest Money Deposit (EMD) 1%, Additional Security Deposits 5%, Additional Deposit 1% for the completed tender works between 2012-2013 to 2016-2017, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondent is duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ



petition, there shall be a direction to the respondent to consider the petitioner's representation dated 05.04.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar (CS-I)

To:
The Commissioner,
Melur Municipality,
Madurai District.

+1cc to Mr.M.JEGADEESHPANDYAN, Advocate, SR.No.77131
+1cc to M/s.Special Government Pleader,SR.No.77557

W.P. (MD) No.17392 of 2018
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