

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 17.04.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P.(MD) Nos.411, 422 & 423 of 2018**

Nedunchelian ... Petitioner in WP(MD) No.411 of 2018  
Azhagan ... Petitioner in WP(MD) No.422 of 2018  
A.Sundarraaj ... Petitioner in WP(MD) No.423 of 2018  
vs.

- 1) The District Collector,  
Trichy.
- 2) The Tahsildar,  
Marungapuri Taluk,  
Marungapuri,  
Trichy District.
- 3) The Joint Director of Health,  
Tiruchirappalli,  
District Health Department,  
Trichy.
- 4) The Block Medical Officer,  
Primary Health centre,  
Valanadu,  
Trichy District. ... Respondents in all the 3 W.P.'s(MD)

**PRAYER IN WP(MD) No.411 of 2018:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to de-seal petitioner's room at Thuvarankurichi - Natham Road, Marungapuri Taluk, Trichy District based on his representation dated 21.11.2017.

**PRAYER IN WP(MD) No.422 of 2018:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to de-seal petitioner's room at Thuvarankurichi - Natham Road, Marungapuri Taluk, Trichy District based on his representation dated 21.11.2017.

**PRAYER IN WP(MD) No.423 of 2018:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus,



directing the respondents to de-seal petitioner's medical shop namely SRK. Medicals & Generals at 28A/8, Rice Mill Road Street, Thuvarankurichi based on the petitioner's representation dated 21.11.2017.

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For Petitioners : Mr.AN.Ramanathan  
in all Writ Petitions

For Respondents : Mr.V.Anand,  
in all Writ Petitions Learned Government Advocate.

### C O M M O N O R D E R

As the issue involved in all the three Writ Petitions are one and the same, the cases are taken up for disposal by a Common Order.

2. It is the grievance of the petitioners in WP(MD) Nos.411 & 422 of 2018 that their representations dated 21.11.2017, seeking to de-seal the petitioners' room at Thuvarankurichi - Natham Road, Marungapuri Taluk, Trichy District and for the petitioner in WP (MD)No.423 of 2018 to de-seal his medical shop namely SRK. Medicals & Generals at 28A/8, Rice Mill Road Street, Thuvarankurichi has been kept pending and hence, it has become necessary on the part of the petitioners to file these writ petitions.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioners. It is needless to point out that whenever a representation of this nature is made, the respondents are 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 petitioners' representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondents to consider the petitioners' representation dated 21.11.2017 in all the three Writ petitions respectively, on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioners as well as to the respondents.



5. With the above directions, the **Writ Petitions are disposed of.** No costs.

Sd/-  
Assistant Registrar (RTI)

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/True Copy/

Sub Assistant Registrar

To

- 1) The District Collector,  
Trichy.
- 2) The Tahsildar,  
Marungapuri Taluk, Marungapuri, Trichy District.
- 3) The Joint Director of Health,  
Tiruchirappalli, District Health Department,  
Trichy.
- 4) The Block Medical Officer,  
Primary Health centre,  
Valanadu, Trichy District.

+ 3 ccs TO Mr. AN. Ramanathan, Advocate in SR Nos. 61806, 61808, 61809

sts

AE/RSK/SAR1/04.05.2018/3P/8C

Common Order in  
**W.P. (MD) Nos. 411, 422 & 423 of 2018**  
**17.04.2018**