



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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W.P. (MD) No.4833 of 2018

A.Sheik Maideen

... Petitioner

vs.

Kodaikanal Municipality,
Kodaikanal,
Dindigul District,
Rep., by its Commissioner

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to grant an extension for a period of 1 year for collecting parking charges in Bruton compound, after receiving the proportionate lease amount for 1 year, by considering the petitioner's representation dated 23.02.2018 in equity.

For Petitioner : M/s.Niranjana S.Kumar
For Respondent : Mr.T.S.Mohammed Mohideen
Standing Counsel

O R D E R

It is the grievance of the petitioner that his representation dated 23.02.2018, seeking to grant an extension for a period of 1 year for collecting parking charges in Bruton compound, after receiving the proportionate lease amount for 1 year, has been kept pending and hence, it has become necessary on the part of the petitioner to file this writ petition.

2. 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 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 petitioner's representation within a stipulated time.

3. 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 23.02.2018 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 as well as to the respondent.



4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

WEB COPY /True Copy/

Sub Assistant Registrar

To

The Commissioner,
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.

+1cc to M/S.Niranjana S.Kumar, Advocate SR.No. 61749

+1cc to M/S.T.S.Mohammed Mohideen, Advocate SR.No. 61789

Order in
W.P. (MD) No.4833 of 2018
17.04.2018

sts

JM/SV MMS/SAR 2/17.04.2018/2P/4C