



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.8063 of 2018

1.C.Bhagavathi

2.P.Vairath Ammal

3.D.Rengammal

: Petitioners

Vs.

1. The District Collector,
O/o. District Collector,
Nagercoil, Kanyakumari District.

2. The Commissioner,
Hindu Religious and Endowments Department,
No.119, Uthamar Gandhi Road,
Thirumurthy Nagar,
Nungambakkam,
Chennai - 600 006.

3. The Joint Commissioner,
Hindu Religious and Endowments Department,
Suchindram,
Kanyakumari District.

4. The Executive Officer,
Arulmigu Bhagavathyamman Thirukkoil,
Kanyakumari, Kanyakumari District.

5. The Executive Officer,
Kanyakumari Special Grade Town Panchayat,
Kanyakumari,
Kanyakumari District.

6. The Thasildar,
Agastheeswaram,
Kanyakumari, Kanyakumari District.

7. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to provide the alternative place for establishment of shop for Shop Nos.1/69K 23, 1/69 K 24, 1/69 K 22, to the petitioners at a suitable place at Gandhimandabam Angu Salai, Kanyakumari District within the time stipulated by this Court.



For Petitioner : Mr.T.Lajapathi Roy
For Respondents 1, 2, 6 & 7 : Mr.N.Shanmuga Selvam
Additional Government Pleader
For Respondents 3 & 4 : Mr.K.Sathiya Singh
For Respondent No.5 : Mr.Aayiram K.Selvakumar

WEB COPY

ORDER

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

2.It is the grievance of the petitioners that their representations dated 12.03.2018 seeking for providing alternative place for establishment of shop have not been considered by the respondents till date and therefore, have filed the present writ petition.

3.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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's 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 third respondent to consider the petitioners' representations dated 12.03.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
O/o. District Collector,
Nagercoil, Kanyakumari District.



2. The Commissioner,
Hindu Religious and Endowments Department,
No.119, Uthamar Gandhi Road,
Thirumurthy Nagar,
Nungambakkam,
Chennai - 600 006.
3. The Thasildar,
Agastheeswaram,
Kanyakumari, Kanyakumari District.
4. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kanyakumari District.

+1cc to Mr.K.Sathiya Singh, Advocate Sr.No.61511

myr

VB/JC/SAR3/25.04.2018/3P/6C

W.P. (MD) No.8063 of 2018
13.04.2018