



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.8174 of 2018

S.Nallakumar

... Petitioner

vs.

1. The District Collector,
Pudukkottai District.
2. The Assistant Director,
Geology Mines Department,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to suitably earmark the place by mentioning the respective boundaries of the place allotted for quarry operations by following the earlier procedure of marking respective boundaries as 409, 409 North I, 409 South II situated at Thurayanoor Village, Thirumayam Talum, Pudukkottai District and on the basis of the petitioner's representation dated 16.03.2018.

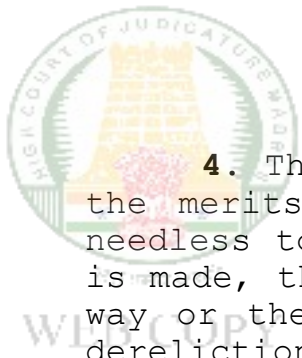
For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

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

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 16.03.2018 seeking to earmark the place by mentioning the respective boundaries of the place allotted for quarry operations by following the earlier procedure of marking respective boundaries as 409, 409 North I, 409 South II situated at Thurayanoor Village, Thirumayam Talum, Pudukkottai District and the same has not been considered by the respondents 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 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.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 16.03.2018 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.

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

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukkottai District.
2. The Assistant Director,
Geology Mines Department,
Pudukkottai District.

+ 1 CC TO Mr.B.JAMEEL ARASU, ADVOCATE IN SR No. 61682
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 61615

KRK
TE/KKR/SAR-4 : 04/05/2018 : 2P/5C

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16.04.2018