



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

CORAM:

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.8314 of 2018
in
W.M.P.No.7870 of 2018

A.R.Ramasamy

... Petitioner

vs.

1. The District Collector,
Sivagangai, Sivagangai District.
2. The Tahsildhar,
Karaikudi Taluk,
Sivagangai District.
3. The Revenue Divisional Officer,
Devakottai, Sivagangai District.
4. The Village Administrative Officer,
Kandanoor Village, Karaikudi Taluk,
Sivagangai District.
5. The Superintendent of Police,
Sivagangai District.
6. The Deputy Superintendent of Police,
Karaikudi Taluk,
Sivagangai District.
7. The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
8. The Sub Collector cum Nodal Officer,
Devakottai Division Sub Collector,
Karaikudi Taluk, Sivagangai District.
9. K. Lakshmanan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 8 herein to take immediate action against the ninth respondent for misappropriation of the funds of the Nattar Turst more fully by 8th respondent herein and to appoint an Auditor to look into the



accounts of the Nattar Trust and submit a report on the basis of my representation dated 05.03.2018.

For Petitioner : Mr.M.Shakul Hameed
For Respondents : Mr.V.Anand
Government Advocate

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O R D E R

Mr.V.Anand, learned Government Advocate takes notice for the respondents 1 to 8. Notice to the ninth respondent is dispensed with in view of nature of the order to be passed by this Court.

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 05.03.2018 to direct the respondents 1 to 8 herein to take immediate action against the ninth respondent for misappropriation of the funds of the Nattar Turst more fully by 8th respondent herein and to appoint an Auditor to look into the accounts of the Nattar Trust and submit a report, 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 fourth respondent to consider the petitioner's representation dated 05.03.2018 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. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the ninth respondent herein and any other persons who may be interested in the subject matter

6. With the above direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/



To:

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Sivagangai District.
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Karaikudi Taluk, Sivagangai District.

+1CC to Mr.M.Shakul Hameed, Advocate, SR.No. 61565

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AM/SV MMS/SAR 4/28.04.2018/3P/10C