



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.8552 of 2018

K.Deiva Nayagam

... Petitioner

vs.

1. The District Collector,
Collectorate,
Tirunelveli District,
Tirunelveli.
2. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Maharaja Nagar,
Tirunelveli-627 001
3. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Valliyoor.
4. The Junior Engineer,
Tamil Nadu Electricity Board,
Koodankulam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take action on the petitioner's grievances on the basis of nature of the case and based on the representation, dated 06.04.2018.

For Petitioner : Mr.B.Char Murugan

For Respondents: Mr.S.Nagarajan

Special Government Pleader for R1

Mr.Kasinathadurai

Standing Counsel for R2 to R4

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the first respondent and Mr.Kasinathadurai, learned Standing Counsel, takes notice for the respondents 2 to 4.



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 06.04.2018 seeking to remove the electricity transmission poles installed in his land, 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 06.04.2018 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 persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

The District Collector,
Collectorate,
Tirunelveli District,
Tirunelveli.

+ 1 CC TO Mr.B.CHAR MURUGAN, ADVOCATE IN SR No. 62438
+ 1 CC TO Mr.G.KASINATHADURAI, ADVOCATE IN SR No. 62676

KRK

TE/RSK/SAR-4 : 11/05/2018 : P/C

<https://hcservices.ecourts.gov.in/hcservices/>

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