



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.8755 of 2018

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V.Samayan

... Petitioner

vs.

1. The District Collector,
Ramanathapuram District, Ramanathapuram.
2. The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.
3. The Sub-Collector,
Paramakudi,
Ramanathapuram District.
4. The Tahsildar,
Paramakudi Taluk Office,
Paramakudi,
Ramanathapuram District.
5. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
6. Marimuthu
7. Arunachalam
- 8.Parai Muni @ Muniyasamy
- 9.Muthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to take appropriate action based on the petitioner's representations dated 21.02.2018 within the time limit that may be stipulated by this Court and consequently to direct the 3rd respondent to remove the newly erected stones and bell from the land in survey Nos.511/6 & 511/8 situating in Tholur Therkkupatti Village, Paramakudi Taluk, Ramanathapuram District so as to enforce the 3rd respondent's proceedings in Na.Ka.A2/4050/2014 dated 30.12.2014.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents

No.1 to 5

: Mr.V.Anand

Government Advocate



O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 5. Notice to the respondents 6 to 8 is dispensed with in view of nature of the order to be passed by this Court.

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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 21.02.2018 seeking to remove the newly erected stones and bell from the land in survey Nos.511/6 & 511/8 situating in Tholur Therkkupatti Village, Paramakudi Taluk, Ramanathapuram District, 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 third respondent to consider the petitioner's representation dated 21.02.2018 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 respondents 6 to 8.

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

Sd/
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,

<https://hcservices2.courts.gov.in/hcservices/> Ramanathapuram District, Ramanathapuram.



2. The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.

3. The Sub-Collector,
Paramakudi,
Ramanathapuram District.

4. The Tahsildar,
Paramakudi Taluk Office,
Paramakudi,
Ramanathapuram District.

5. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

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KK/KKR/08.05.2018/SAR-3/3P-6C