



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9277 of 2018

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P.Palanisamy

... Petitioner

vs.

The Project Director,
National Highway Authority of India,
No.11/1, Kongu Nagar East,
Appasamy Apartment Backside,
Ramanathapuram, Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 19.04.2018 to lay the 6 lane road (Express Highway) from Karur to Coimbatore after providing distance clearance as contemplated under Rule 36 of Tamil Nadu Minor Mineral Concession Rules 1959 while laying the road nearby survey No.102 situated at Koodalur West Village, Aravakurichi Taluk, Karur District.

For Petitioner : Mr.K.BalaSubramani

For Respondents: Mr.Arul Vadivel Sekar,

Standing Counsel for National Highways.

O R D E R

Mr..Arul Vadivel Sekar, learned Standing Counsel for National Highways, takes notice for the respondent.

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 19.04.2018 seeking to lay the 6 lane road (Express Highway) from Karur to Coimbatore after providing distance clearance as contemplated under Rule 36 of Tamil Nadu Minor Mineral Concession Rules 1959 while laying the road nearby survey No.102 situated at Koodalur West Village, Aravakurichi Taluk, Karur District, has not been considered by the respondent 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.

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5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 19.04.2018 on its own merits and take further action in accordance with law, as expeditiously as possible 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 any other 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(T&P)

/True copy/

Sub Assistant Registrar

To

The Project Director,
National Highway Authority of India,
No.11/1, Kongu Nagar East,
Appasamy Apartment Backside,
Ramanathapuram, Coimbatore.

+1cc to Mr.K.BALASUBRAMANI, Advocate, SR.No. 63370
+1cc to Mr.C.ARUL VADIVEL @ SEKAR, Advocate, SR.No. 63513

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