



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.9340 of 2018

WEB COPY

V.Mari @ Marimuthu

... Petitioner

vs.

1.The District Collector.

Madurai District, Madurai.

2.The Deputy Collector/District Manager,

Tamil Nadu State Marketing Corporation (TASMAC),

Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to consider and pass orders on the petitioner's representation dated 05.04.2018 and 16.04.2018 to re-open the TASMAC shop No.5131 and annexed bar, situated at D.No.60/54, Bharathiyar Street, K.Pudur, Madurai within the time limit that may be stipulated by this Court.

For Petitioner

: Mr.G.Thalaimutharasu

For R1

: Mr.J.Gunaseelan Muthiah

Additional Government Pleader

For R2

: Mr.H.Arumugam

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice on behalf of the first respondent. Mr. H.Arumugam learned counsel takes notice for the second 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 16.04.2018 seeking to re-open the TASMAC shop No.5131 and annexed bar, situated at D.No.60/54, Bharathiyar Street, K.Pudur, Madurai, has not been considered by the first 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.



5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 16.04.2018 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. 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 (CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector.
Madurai District, Madurai.

2.The Deputy Collector/District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Madurai District.

+1cc to The Special Government Pleader, SR.No.63592

+1cc to Mr.G.Thalaimutharasu, Advocate, SR.No.63399

+1cc to Mr.H.Arumugam, Advocate, SR.No.63760

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RL/6C/2P/SV/SAR3/3/5/2018

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25.04.2018