

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.9591 of 2018**

WEB COPY

Good Shepherd Matriculation School
rep.by its Correspondent Fr.Francis Vincent
Simon Colony, Colachel
Kodimunai Post
Kanyakumari District - 629 251

... Petitioner

vs.

1. The Government of Tamil Nadu
rep.by its Secretary to Government
Municipal Administration &
Water Supply Department
Fort St.George, Chennai-600 009

2. The District Collector
Nagercoil
Kanyakumari District-600 001

3. The Revenue Divisional Officer
Padmanabhapuram @ Thuckalay
Kanyakumari District

4. The Tahsildar
Kalkulam Taluk
Thuckalay
Kanyakumari District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to direct the fourth respondent to allot the 2.590 Cents land, comprised in re-survey No.204/18 of Simon Colony Village, Kalkulam Taluk, Kanyakumari District, which in the possession of the petitioner School in lease basis for the purpose of upgradation of the petitioner's School within a specific time.

For Petitioner : Mrs.L.Victoria Gowri

For Respondents: Mr.S.Nagarajan

Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes
<https://hcservices.ecourts.gov.in/hcservices/>
notice for the respondents.



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 their representation dated 22.11.2017 seeking for a direction to the fourth respondent to allot the land, measuring an extent of 2.590 Cents, comprised in re-survey No.204/18 of Simon Colony Village, Kalkulam Taluk, Kanyakumari District, which is in their possession in lease basis, for the purpose of upgradation, has not been considered by the respondents till date and therefore, they have 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 22.11.2017 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 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

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary to Government,
Municipal Administration &
Water Supply Department,
Fort St.George, Chennai-600 009.

2. The District Collector,
Nagercoil,
Kanyakumari District-600 001.



3. The Revenue Divisional Officer,
Padmanabhapuram @ Thuckalay,
Kanyakumari District.

4. The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari.

KRK

VB/SV/MMS/SAR2/15/05/2018/3P/5C

W.P. (MD) No.9591 of 2018
26.04.2018