



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9608 of 2018

M.Rathis Mohamed Ali

... Petitioner

vs.

1.The Corporation Commissioner
O/o.City Corporation
Tirunelveli City

2.The Commissioner of Police
O/o.Commissioner of Police
Tirunelveli City

... 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 the petitioner representation, dated 13.04.2018 and consequently direct them to permit the Auto Stand at V.S.T.Circle, near Suganya Tea Shop in Melapalayam, Tirunelveli City, wherein parking by the Auto Drivers, who are the members of the petitioner-Association, within a stipulated time prescribed by this Hon'ble Court.

For Petitioner : Mr.S.A.S.Alaudeen

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

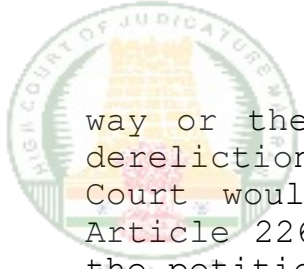
O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes 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 his representation dated 13.04.2018 seeking permission to set an Auto Stand at V.S.T.Circle, near Suganya Tea Shop in Melapalayam, Tirunelveli City, 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.

WEB COPY 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 13.04.2018 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To:

1.The Corporation Commissioner,
O/o.City Corporation, Tirunelveli City.

2.The Commissioner of Police,
O/o.Commissioner of Police,
Tirunelveli City.

+1CC to Mr.S.A.S.Alaudeen, Advocate, SR.No. 64400

W.P. (MD) No.9608 of 2018
26.04.2018

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AM/KKR/SAR 3/28.05.2018/2P/4C