

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.10109 of 2018**

Mohamed Jibreel

... Petitioner

vs.

1. The District Collector
O/o.The District Collector
Madurai District

2. The Commissioner
O/o.The Commissioner
Melur Municipality Office
Madurai 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 return back the deposit amount a sum of Rs.1,00,000/- to the petitioner.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

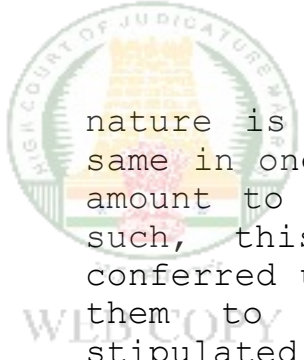
O R D E R

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 05.04.2018 seeking for refund of the deposit amount of Rs.1,00,000/-, 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 second respondent to consider the petitioner's representation dated 05.04.2018 on its own merits and take further action in accordance with law, within a period of two 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 (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
O/o.The District Collector,
Madurai District.
2. The Commissioner,
O/o.The Commissioner,
Melur Municipality Office,
Madurai District.

+ 1 cc TO Mr.S.M.A.JINNAH , Advocate in SR No. 64854

KRK
AE/SKN RSK/SAR3/24.05.2018/2P/4C

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28.04.2018