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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10108 of 2018

Chellaiah ... Petitioner

vs.

The State rep.by
1. The District Collector
   Pudukkottai District
   Pudukkottai

2. The Sub Collector
   Office of the Sub Collector
   Pudukkottai

3. The Thasildar
   Pudukkottai Taluk
   Pudukkottai

4. The Block Development Officer
   Pudukkottai Panchayat Union
   Pudukkottai

5. The Superintending Engineer
   Tamilnadu Generation and
   Distribution Corporation Ltd.,
   (TANGEDCO), E.B.Complex
   Old Bus Stand, Pudukkottai ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to implement the order of the first respondent passed in his proceedings in Na.Ka.No.11145/2016/C5, dated 02.11.2017 within a stipulated time and consequently direct the fourth respondent to create all the basic amenities in Sri Mahaliamman Kudisai Paguthi, Udayaneri-Mettupatti, Kaikurichi Post, Pudukkottai Taluk and District.

For Petitioner : Mr.S.Karthick Subramanian
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader for R1 to R3
Mr.K.Mu.Muthu
Additional Government Pleader for R4
Mr.S.M.S.Johnny Basha
Standing Counsel for R5

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O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 to 3, Mr.K.Mu.Muthu, learned Additional Government Pleader, takes notice for the fourth respondent and Mr.S.M.S.Johnny Basha, learned Standing Counsel, takes notice for the fifth 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 26.08.2016 seeking to implement the order of the first respondent dated 02.11.2017 and to create the basic amenities in Sri Mahaliamman Kudisai Paguthi, Udayaneri-Mettupatti, Kaikurichi Post, Pudukkottai Taluk and District, 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 fourth respondent to consider the petitioner's representation dated 26.08.2016 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. While considering the petitioner's representation, dated 26.08.2016, as directed above, the fourth respondent shall also take into account the order of the first respondent, dated 02.11.2017.

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

Sd/-
Assistant Registrar()

/True copy/

Sub Assistant Registrar

To:
1. The District Collector,
   Pudukkottai District,
   Pudukkottai.

2. The Sub Collector,
   Office of the Sub Collector,
   Pudukkottai.

3. The Thasildar,
   Pudukkottai Taluk,
   Pudukkottai.

4. The Block Development Officer,
   Pudukkottai Panchayat Union,
   Pudukkottai.

- **1 CC TO MR.S.KARTHIK SUBRAMANIYAN , ADVOCATE IN SR No.64859**
- **+1CC to Special Government Pleader in SR.NO.65025.**

krk
AK/JC/SAR4/24.05.2018/3P/7C

W.P.(MD) No.10108 of 2018
28.04.2018

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