



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.10226 of 2018

S.Surulimuthu : Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Assistant Director,
(Village Panchayat),
Collectorate Campus,
Theni, Theni District.

3.The Block Development Officer,
Kadamalai-Mayiladumparai Village Panchayat,
Andipatti Taluk, Theni District.

4.Murugesan : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action against the fourth respondent by considering the representation dated 20.03.2018 given by the petitioner.

For Petitioner : Mr.V.Sankaranarayanan

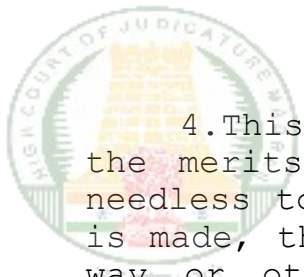
For R1 to R3 : Mr.V.Anand,
Government Advocate.

ORDER

Heard Mr.V.Sankaranarayanan, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, who takes notice on behalf of the respondents 1 to 3.

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 20.03.2018 to take necessary action against the fourth respondent has not been considered by the respondents 1 and 2 till date and therefore, 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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 20.03.2018 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. Such an exercise shall be done, after giving due opportunity to the 4th respondent.

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

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Theni District, Theni.

2.The Assistant Director,
(Village Panchayat),
Collectorate Campus,
Theni, Theni District.

3.The Block Development Officer,
Kadamalai-Mayiladumparai Village Panchayat,
Andipatti Taluk, Theni District.

+1cc to M/s.V.Sankaranarayanan, Advocate, SR.No.64597.

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28.04.2018

MYR

RAM/RSK SKN/SAR 4/28.05.2018/2P/5C