



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.10230 of 2018

Nalla Ganesa Ram : Petitioner
Vs.

1.The District Collector,
Inspector of Panchayat,
Virudhunagar District.

2.The Special Officer,
Block Development Officer,
Rajapalayam, Virudhunagar District.

3.Marimuthu : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent herein to consider the representation of the petitioner dated 13.04.2018 and restrain the third respondent from being transferred to any Panchayat nearby Nallama Naickenpatti Panchayat.

For Petitioner : Mrs.AL.Gandimathi
For R1 : Mr.V.Anand,
Government Advocate.
For R2 : Mr.B.Bhagavathi,
Government Advocate.

ORDER

Heard Mrs.AL.Gandimathi, learned counsel appearing for the petitioner, Mr.V.Anand, learned Government Advocate, who takes notice on behalf of the first respondent and Mr.B.Bhagavathi, learned Government Advocate, who takes notice on behalf of the second 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 13.04.2018 to take departmental action against the third 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 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 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 third 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,
Inspector of Panchayat,
Virudhunagar District.
- 2.The Special Officer,
Block Development Officer,
Rajapalayam,
Virudhunagar District.

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RAM/RSK SKN/SAR 2/25.05.2018/2P/3C