



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.10285 of 2018

S.Maharajan

: Petitioner

Vs.

1. The District Collector,
Tuticorin District, Tuticorin.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tuticorin, Tuticorin District.

3. The Tahsildar,
Srivaikuntam Taluk Office,
Srivaikuntam, Tuticorin District.

4. The Deputy Superintendent of Police,
DSP Office,
Srivaikuntam, Tuticorin District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 30.06.2017 and direct the third and fourth respondents to hand over the temples' door keys which are located in around of the petitioner's village.

For Petitioner : Mr.C.Baskaran

For Respondents : Mr.V.Anand,
Government Advocate.

ORDER

Heard Mr.C.Baskaran, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, who takes notice on behalf of 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 30.06.2017 to hand over the temples' door keys to the petitioner has not been considered by the respondents 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 third respondent to consider the petitioner's representation dated 30.06.2017 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 petitioner as well as any other persons, who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District, Tuticorin.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tuticorin, Tuticorin District.
3. The Tahsildar,
Srivaikuntam Taluk Office,
Srivaikuntam, Tuticorin District.



4. The Deputy Superintendent of Police,
DSP Office,
Srivaikuntam, Tuticorin District.

+1 cc to M/S.C.Baskaran, Advocate, IN SR No. 64864

W.P. (MD) No.10285 of 2018
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myr

PK/RSK-SKN/SAR-4/23.05.2018 : 2P/6C