



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P.(MD) No.15841 of 2018
and
W.M.P.(MD)No.14177 of 2018

S.Jayaganesh

... Petitioner

vs.

1.The District Collector,
Madurai District.

2.The Executive Engineer (PWD),
Periyar Vaigai Drain Basin,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, forbearing the respondents 1 and 2 from issuing a work order to third parties for the maintenance of the Kalkulam Kanmoi, Perungamanallur, Peraiyur Taluk, Madurai District, skipping the first preference to the petitioner's Sangam.

For Petitioner : Mr.M.Gururaj

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

O R D E R

Mr.J.Gunaseelanmuthiah, 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 14.07.2018, seeking to issue the work order of maintenance of the Kalkulam Kanmoi, Perungamanallur, Peraiyur Taluk, Madurai District, has not been considered by the second respondent 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 14.07.2018 on its own merits and take further action in accordance with law, within a period of four 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 and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar((CS-III)

To

- 1.The District Collector,
Madurai District.
- 2.The Executive Engineer (PWD),
Periyar Vaigai Drain Basin,
Madurai.

+1cc to M/s.Special Government Pleader,SR.No. 74358

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KK/SKN/SAR-3/01.08.2018/2P-4C/