

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 07.06.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.11512 of 2018****WEB COPY**

Chandrakala

... Petitioner

vs.

The Commissioner,
Municipal Officer,
Keelakarai Municipality,
Ramanathapuram District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to refund the withheld amount for the works carried out as per the work order dated 27.07.2016 by considering the representation of the petitioner, dated 20.04.2018.

For Petitioner : Mr.J.Anandkumar
For Respondents : Mr.A.Kannan
Standing Counsel

O R D E R

Mr.A.Kannan, learned Standing Counsel, takes notice for the respondent.

2. It is the grievance of the petitioner that his representation dated 20.04.2018 seeking to to refund the withheld amount for the works carried out as per the work order dated 27.07.2016, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

3. 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.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 20.04.2018 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 as well as to any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To:

The Commissioner,
Municipal Officer,
Keelakarai Municipality,
Ramanathapuram District.

+1cc to Mr.J.Anandkumar, Advocate Sr.No.67693

+1cc to Mr.A.Kannan, Advocate Sr.No.67536

Gm

MK/JC/SAR 4/19.06.2018/2P/4C

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07.06.2018