

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 05.06.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****W.P. (MD) No.11878 of 2018**

S.Thirumalai

... Petitioner

vs.

1. The District Collector,
Tirunelveli,
Tirunelveli District.

2. The Tahsildar,
Tenkasi Taluk,
Tenkasi,
Tirunelveli District.

3. The Block Development Officer,
Keelapavur Union Panchayat,
Pavoorchathiram,
Tenkasi Taluka,
Tirunelveli District.

4. The Executive Officer,
Thippanampatti Panchayat,
Thippanampatti,
Tenkasi Taluka,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to direct the 3rd and 4th respondents to repair the street and lay proper toping for the connecting street from the petitioner house situated at 10/41 Sennalthapudukulam, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, to the 1st Street of Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, by considering the petitioner's representation dated 28.04.2018.

For Petitioner	:Mr.A.Haja Mohideen
For R-1 & R-2	:Mr.S.Nagarajan Special Government Pleader
For R-3	:Mrs.J.Padmavathy Devi Special Government Pleader

O R D E R

Mr.S.Nagarajan learned Special Government Pleader takes notice for R1 and R2. Mrs.J.Padmavathy Devi, learned Special Government Pleader, takes notice for the third respondent.

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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 28.04.2018 seeking to to repair the street and lay proper toping for the connecting street from the petitioner house situated at 10/41 Sennalthapudukulam, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, to the 1st Street of Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, has not been considered by the third 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 third respondent to consider the petitioner's representation dated 28.04.2018 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 petitioner as well as to 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(crl side)

/True Copy/

Sub Assistant Registrar



To

1. The District Collector,
Tirunelveli, Tirunelveli District.

2. The Tahsildar,
Tenkasi Taluk,
Tenkasi,
Tirunelveli District.

3. The Block Development Officer,
Keelapavur Union Panchayat,
Pavoorchathiram, Tenkasi Taluka,
Tirunelveli District.

4. The Executive Officer,
Thippanampatti Panchayat,
Thippanampatti, Tenkasi Taluka,
Tirunelveli District.

+1cc to Mr.A.Haja Mohideen, Advocate Sr.No.67010

AAV

VB/KKR/SAR2/14.06.2018/3P/6C

W.P. (MD) No.11878 of 2018
05.06.2018