



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2018

WEB COPY

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THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.12601 of 2018

S.Christhuraaj

... Petitioner

-Vs-

The Superintending Engineer,
WRO/Public Works Department,
Thamiraparani Basin Circle,
Tirunelveli.

...Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to register petitioner's name as a class-I contractor and issue certificate by considering his application dated 09.12.2017 within the stipulated time fixed by this Court.

For Petitioner : Mr.D.Selvanayagam

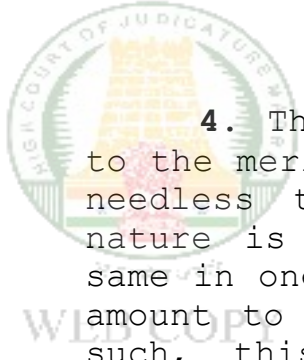
For Respondent : Mr.V.Anand
Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, takes notice on behalf of the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is doing Sub-Contracts as Class I Government contractor of Highways & Rural roads circle, Tirunelveli. Class I contractor is given an experience certificate. In favour of the petitioner also, an experience certificate is given. The petitioner has applied in registering himself as a class I contractor under the respondent. He made a representation on 09.12.2017 including all the required documents. Even though he is eligible to be appointed as a class I contractor, the respondent has not passed any orders on his representation. Hence, the petitioner seeks a relief of disposal of the representation dated 09.12.2017.



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. Considering the limited prayer sought for the disposal of the representation, without going into the merits of the case, a direction is issued to the respondent to consider the representation of the petitioner dated 09.12.2017, on merits and in accordance with law, and if he is eligible, pass appropriate orders 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 the respondent and any other persons who may be interested in the subject matter.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The Superintending Engineer,
WRO/Public Works Department,
Thamiraparani Basin Circle,
Tirunelveli.

+ 1 cc TO Mr.D.Selvanayagam , Advocate in SR No. 68353

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AE/SV MMS/SAR1/27.06.2018/2P/3C

Order made in
W.P. (MD) No.12601 of 2018
13.06.2018