



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14262 of 2018andW.M.P.(MD) No.12925 of 2018

Kandani Kanmaai Formers Society
rep.by its President
Poopandi, (M/42)
S/o.Karuppaiyah
Kandani Village
Keelasethur Post
Ilayangudi Taluk
Sivagangai District

... Petitioner

vs.

- 1.The Chief Engineer
Water Resource Department
Madurai Region, Madurai-2
- 2.The District Collector
Sivagangai District, Sivagangai
- 3.Superintending Engineer
Public Works Department
Sivagangai District, Sivagangai
- 4.The Executive Engineer
Public Works Department
Water Resource Management
Irrigation Division
Sarukaniyaru Sub-Division
Sivagangai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to issue work order for execution of Kudimaramath Work in respect of Kandani Kanmaai, Sivagangai District, to the petitioner's Society in view of G.O.Ms.No.142, dated 25.05.2018, on the file of the Principal Secretary to Government, Public Works Department (W2) Department, Chennai.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.S.Nagarajan

Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special 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 25.06.2018 seeking for issuance of work order, has not been considered by the respondents 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 25.06.2018 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 the 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-II)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Chief Engineer,
Water Resource Department,
Madurai Region, Madurai-2.
- 2.The District Collector,
Sivagangai District, Sivagangai.



3. Superintending Engineer,
Public Works Department,
Sivagangai District, Sivagangai.

4. The Executive Engineer,
Public Works Department,
Water Resource Management,
Irrigation Division,
Sarukaniyaru Sub-Division,
Sivagangai District.

+1cc to M/S.V.Kannan, Advocate SR.No. 71230

W.P. (MD) No.14262 of 2018

and

W.M.P. (MD) No.12925 of 2018

04.07.2018

krk

JM/SV/SAR 4/18.07.2018/3P/6C