

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.16505 of 2018****WEB COPY**

R.Muthukumar

... Petitioner

vs.

1. The Executive Engineer,
Public Works Department,
(Technical Education Division)
Trichy.

2. The Assistant Executive Engineer,
Public Works Department,
(Technical Education Sub Division),
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to hand over the site for construction of 16 class room with 3 laboratory buildings in His Highness The Rajah's College, Pudukkottai, at once.

For Petitioner : Mr.P.Ganapathi Subramanian

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 10.04.2018 seeking to hand over the site for construction of 16 class room with 3 laboratory buildings, 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 second respondent to consider the petitioner's representation dated 10.04.2018 in the light of the letter dated 16.04.2018, on its own merits and take further action in accordance with law, within a period of two 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.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1. The Executive Engineer,
Public Works Department,
(Technical Education Division)
Trichy.
2. The Assistant Executive Engineer,
Public Works Department,
(Technical Education Sub Division),
Pudukkottai.

+1cc to Mr.P.Ganapathi Subramanian, Advocate Sr.No.76083

+1cc to Spl.Government Pleader Sr.No.75512

RMK

VB/KAK/SAR1/07.08.2018/2P/5C

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