



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.14339 of 2018

Sanjai

... Petitioner

Vs.

1. The Commissioner
Tirunelveli City Municipal
Corporation, S.N.High Road
Tirunelveli

2. The Assistant Commissioner
Melapalyam Zone
Tirunelveli City Municipal Corporation
Melapalayam, Tirunelveli-5

3. The Zonal Surveyor
Survey Department
Melapalayam Zone
Tirunelveli City Municipal Corporation
Melapalayam, Tirunelveli-5

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to consider the representation sent by the petitioner on 03.01.2018.

For Petitioner : Mr.S.B.Kamalanathan

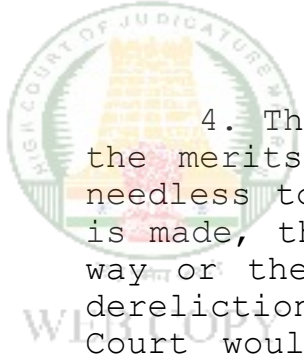
For Respondents : Mr.Aayiram K.Selvakumar
Standing Counsel

O R D E R

Mr.Aayiram K.Selvakumar, learned standing counsel, 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 03.01.2018 seeking to rectify the mistake crept in the new town survey register, 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 03.01.2018 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and 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.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

+1CC to Mr.S.B.Kamalanathan, Advocate, SR.No.71231
+1CC to Mr.Aayiram K.Selvakumar, Advocate, SR.No. 71427

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