



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14384 of 2018

M.Subramanian

... Petitioner

vs.

1.The Executive Engineer
Public Works Department
Water Resource Organization
Thamirabarani Basin Division
Tirunelveli District

2.The Joint Commissioner
H.R. & C.E.Department
Tirunelveli

3.The Executive Officer
Arulmigu Kulathoor Ayyan Sastha Temple
Nainarkulam, Tirunelveli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to conduct public auction for the year 2018-19 to lay fish seeds and to catch the same in the Nainarkulam Tank situated at Tirunelveli Town based on the petitioner's representation, dated 14.06.2018.

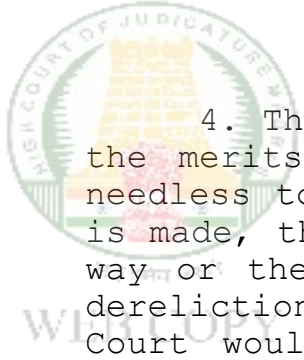
For Petitioner	:	Mr.D.Saravanan
For Respondents	:	Mr.N.Shanmugaselvam Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, 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 14.06.2018 seeking to conduct a public auction for the year 2018-2019 to lay fish seeds and to catch the same in the Nainarkulam Tank, situated at Tirunelveli Town, 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 first respondent to consider the petitioner's representation dated 14.06.2018 on its own merits and take further action in accordance with law, within a period of six 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.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Executive Engineer,
Public Works Department,
Water Resource Organization,
Thamirabarani Basin Division,
Tirunelveli District.

2. The Joint Commissioner,
H.R. & C.E. Department,
Tirunelveli.

3. The Executive Officer,
Arulmigu Kulathoor Ayyan Sastha Temple,
Nainarkulam, Tirunelveli.

+1cc to Mr.D.Saravanan, Advocate, SR.No.71365.

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