

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.15021 of 2018****and****W.M.P (MD) No.13559 of 2018**

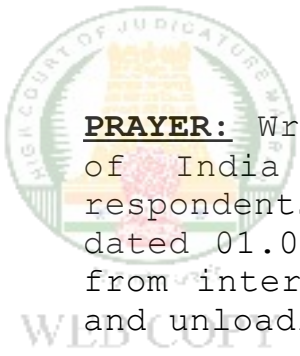
Paulraj

... Petitioner

vs.

1. The District Collector
Kanyakumari District
at Nagercoil
2. The Superintendent of Police
Kanyakumari District
at Nagercoil
3. The Labour Officer
No.155,K.P.Road
Ramavarmapuram
Near Linse Shopping
Nagercoil- 629 001
Kanyakumari District.
4. The General Secretary
Kanyakumari District
Annai Sonia Ragul Gandhi
General Workers Union
Reg. No.522/KMM
56, South Ratha Veethi
202, Saravana Manson
Nagercoil, Kanyakumari District.
5. The General Secretary
Thadikkarakonam
DMK-Genearl Workers Union
Nagercoil, Kanyakumari District.
6. The General Secretary
CITU Union
Thadikkarakonam
Kanyakumari District.

.... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 01.05.2018 and prevent the respondents 4 to 6 Workers Union from interfering with the free movement of vehicles from loading and unloading trade of the petitioner.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.J.Gunaseelan Muthiah
No.1 to 3 Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 to 3. Notice to the respondents 4 to 6 is dispensed with in view of nature of the order to be passed by this Court.

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 01.05.2018 seeking to prevent the respondents 4 to 6 Workers Union from interfering with the free movement of vehicles from loading and unloading trade of the petitioner, has not been considered by the first 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 01.05.2018 on its own merits and take further action in accordance with law, within a period of eight 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 respondents 4 to 6 and any other persons who may be interested in the subject matter.

<https://hcservices.ecourts.gov.in/hcservices/>

6. With the above directions, this writ petition is disposed



of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (AS)

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/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Kanyakumari District
at Nagercoil.
2. The Superintendent of Police,
Kanyakumari District
at Nagercoil.
3. The Labour Officer,
No.155,K.P.Road,
Ramavaramapuram,
Near Linse Shopping,
Nagercoil- 629 001,
Kanyakumari District.

+ 1 cc TO Mr.M.R.Sreenivasan , Advocate in SR No. 72556
+ 1 cc TO The Special Government Pleader in SR No. 72831

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AE/SKN RSK/SAR2/23.07.2018/3P/6C

**W.P. (MD) No.15021 of 2018
and
W.M.P (MD) No.13559 of 2018
12.07.2018**