



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.15386 of 2018

R.Rajeswari

... Petitioner

vs.

1. The District Collector
Madurai District
Madurai.

2. The Commissioner of Corporation
Madurai Corporation
Corporation Office
Madurai.

3. The Divisional Engineer
Highways
Construction and Maintenance
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to consider the petitioner's representation dated 25.06.2018 and also to issue license for petti shop situated at front side of flower market, Madurai- Melur Road, Madurai.

For Petitioner	:	Mr.M.Maran
For Respondent	:	
No.1 and 3	:	Mr.J.Gunaseelan Muthiah Additional Government Pleader
No.2	:	Mr.T.S.Mohammed Mohideen

ORDER

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 and 3. Mr. T.S.Mohammed Mohideen, learned Standing Counsel takes notice for second respondent.

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 to issue license for petti shop situated at front side of flower market, Madurai- Melur Road, Madurai., has not been considered by the second respondent 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 25.06.2018 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 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(Crl.Side)

/True copy/

Sub Assistant Registrar(CS-III)

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Commissioner of Corporation,
Madurai Corporation,
Corporation Office,
Madurai.
- 3.The Divisional Engineer,
Highways,
Construction and Maintenance,
Madurai.

+1cc to Mr.T.S.Mohammed Mohideen, Advocate, SR.No.72982.

+1cc to Special Government Pleader, SR.No.73668.

W.P.(MD) No.15386 of 2018

16.07.2018

AAV