



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15554 of 2018

A.Suyambulingam

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The Superintendent of Police,
Kanyakumari District at Nagercoil.

3. P.Thangam

4. S.Rajendran

5. Selva Sivalingam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 & 2 to take action on the petitioner's representation dated 11.05.2018 and make necessary enquiry in respect of ex-communication of the petitioner from Puthoor Village, Pozhikarai Post, Kanyakumari District by the respondents 3 to 5.

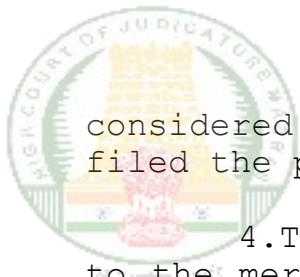
For Petitioner	: Mr.V.Sasi Kumar
For R1 and R2	: Mr.J.Gunaseelan Muthiah Additional Government Pleader

ORDER

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the first and second respondents. Notice to the respondents 3 to 5 is dispensed with in view of the nature of the order passed in this writ petition.

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 11.05.2018 to take action against the Puthoor Arul Migu Parvathi Amman Thirukovil Village Committee and the administration for excommunicating the petitioner from the Puthoor Village, Pozhikarai Post, Kanyakumari District has not been



considered by the respondents 1 and 2 till date and therefore, 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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers 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 11.05.2018 on its own merits and take further action in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. Such an exercise shall be made, after giving notice to the respondents 3 to 5 and any other persons, who may be interested in the subject matter.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The District Collector,
Kanyakumari District at Nagercoil.

2. The Superintendent of Police,
Kanyakumari District at Nagercoil.

+ 1 CC TO Mr.V.SASIKUMAR, ADVOCATE IN SR No. 73812

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 73865

TA

TE/SV/SAR-3 : 27/07/2018 : 2P/5C

W.P. (MD) No.15554 of 2018
18.07.2018