



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.15826 of 2018

K.Bala Sundhara rajan

... Petitioner

vs.

The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to consider the petitioner's written representation dated 02.02.2018 and pass orders to allot a shop at Anna Vegetable Market, Kumbakonam, Thanjavur District, within a stipulated time as prescribed by this Court.

For Petitioner : Mr.R.Muruganantham
For Respondent : Mr.Rajarajan

O R D E R

Mr.Rajarajan, learned counsel, takes notice for the 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 02.02.2018 seeking to allot a shop at Anna Vegetable Market, Kumbakonam, Thanjavur District, has not been considered by the 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 respondent to consider the petitioner's representation dated 02.02.2018 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 respondent and 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(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

+1cc to M/S.R.Muruganantham, Advocate SR.No. 74077
+1cc to M/S.M.Rajarajan, Advocate SR.No. 74212

W.P.(MD) No.15826 of 2018
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