



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15722 of 2018

and

W.M.P (MD) No.14081 of 2018

1.R.Ramesh

2.T.Kandasamy

... Petitioners

vs.

1. The Commissioner,
The Agricultural marketing and Agro Business,
Thiru.Vi.Ka.Industrial Estate,
CIPET II Main Road,
Guindy, Chennai-600 032.

2. The Deputy Director,
Agricultural Marketing,
No.11, Arabic College Road,
Kaja Nagar, Trichy.

3. The Secretary,
Agricultural Marketing committee,
Trichy-8.

4. The District Collector,
Trichy District, Trichy.

5. The Commissioner,
Trichy Corporation,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the 4th respondent herein to consider the representation dated 06.07.2018 and forthwith permit the lorries and other vehicles carrying on fruits and vegetables inside the Gandhi Market, Tiruchirappalli.

For Petitioners : Ms.AL.Ganthimathi

For R-1 to R-4 : Mr.V.Anand,
Government Advocate.

For R-5 : Mr.N.S.Karthikeyan,
Standing Counsel.

**ORDER**

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 4. Mr.N.S.Karthikeyan, learned Standing Counsel, takes notice for the fifth 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 petitioners that their representation dated 06.07.2018, seeking to permit the lorries and other vehicles carrying on fruits and vegetables inside the Gandhi Market, Tiruchirappalli, has not been considered by the fourth 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 petitioners. 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 petitioners' 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 fourth respondent to consider the petitioners' representation dated 06.07.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioners 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner,
The Agricultural marketing and Agro Business,
Thiru.Vi.Ka.Industrial Estate,
CIPET Main Road,
Guindy, Chennai-600 032.



2. The Deputy Director,
Agricultural Marketing,
No.11, Arabic College Road,
Kaja Nagar, Trichy.

WEB COPY

3. The Secretary,
Agricultural Marketing committee,
Trichy-8.

4. The District Collector,
Trichy District, Trichy.

+ 1 cc TO Mr.N.S.Karthikeyan , Advocate in SR No. 73905
+ 1 cc TO Ms.AL.Gandhimathi , Advocate in SR No. 73926
+ 1 cc TO The Special Government Pleader in SR No. 74045

cp

AE/RP/SAR1/20.07.2018/3P/8C

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and
W.M.P (MD) No.14081 of 2018
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