



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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W.P. (MD) No.15827 of 2018

Sahul Hameed

... Petitioner

vs.

1.The Principal Secretary to
the Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai.

2.The Commissioner of Municipal Administration,
Chepauk,
Chennai.

3.The Municipal Commissioner,
Palani Municipality,
Palani,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the third respondent to consider the representation dated 18.05.2018 given by the petitioner for implementation of Government Order issued by the first respondent in G.O.(D)No.179, MA & WS(MA.VI) Department dated 19.04.2018, within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

For R1 and R2 : Mr.V.Anand,
Government Advocate

For R3 : Mr.P. Srinivas
for Mr.J.Parekh Kumar

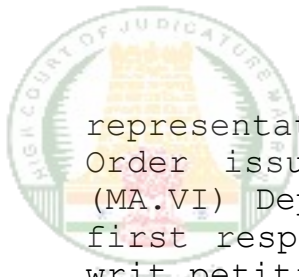
ORDER

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 and 2 and Mr.P.Srinivas for Mr.J.Parekh Kumar, learned counsel takes notice for the third respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

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3. It is the grievance of the petitioner that his



representation dated 18.05.2018, seeking to implement the Government Order issued by the first respondent in G.O.(D)No.179, MA & WS (MA.VI) Department dated 19.04.2018, has not been considered by the first respondent till date and therefore, he has filed the present writ petition.

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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 third respondent to consider the petitioner's representation dated 18.05.2018, 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 done after giving due opportunity to the petitioner 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 (CS-I)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1.The Principal Secretary to
the Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai.

2.The Commissioner of Municipal Administration,
Chepauk,
Chennai.

+1CC to Mr.R.Gandhi Advocate in SR.No.74502.

+1CC to Mr.P.Srinivas Advocate in SR.No.74044.

PNN

DS/SV/SAR-4 :31.07.2018: 2P/5C

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20.07.2018