



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :23.07.2018
CORAM
THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P. (MD)No.16010 of 2018

WEB COPY

James

: Petitioner

Vs.

1. The Director,
Fisheries Department,
DMS Complex, Teyampet,
Chennai.

2.The Assistant Director of Fisheries Department (Region),
Nagercoil, Kanyakumari District.

3.The Secretary,
Fisherman, Co-operative Society,
Kottilpadu, Colachel Post,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent to return back the property of the petitioner situated in RE.Sy.No.771/2 to extent of 3 cents in Lakshmipuram Village, Kalkulam Taluk, Kanyakumari District by considering his representations dated 28.03.2018 and 26.06.2018.

For Petitioner : Mr.K.P.Narayanakumar
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

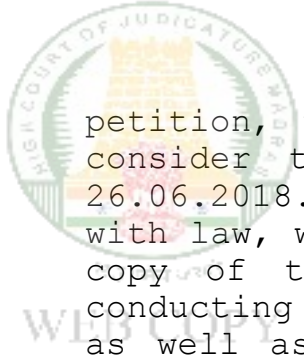
Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice on behalf of the respondents.

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 representations dated 28.03.2018 and 26.06.2018., seeking to return back his property, has not been considered by the second respondent 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 representations of this nature are 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 him 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 representations dated 28.03.2018 and 26.06.2018., 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 made, after conducting an enquiry and giving due opportunity to the petitioner as well as to the 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 Director, Fisheries Department, DMS Complex, Teyampet, Chennai.
2. The Assistant Director of Fisheries Department (Region), Nagercoil, Kanniyakumari District.
3. The Secretary, Fisherman, Co-operative Society, Kottilpadu, Colachel Post, Kanniyakumari District.

+1cc to Mr. K. P. NARAYANA KUMAR, Advocate, SR.No. 74955
+1cc to M/s. Special Government Pleader, SR.No. 74677

W.P. (MD) No. 16010 of 2018
23.07.2018

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