



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16718 of 2018

WEB COPY

M.Ambalavanan

... Petitioner

vs.

The Commissioner
Madurai Corporation
Aringnar Anna Maligai
Madurai

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to consider the petitioner's representation dated 14.06.2018 and direct the respondent to issue the deposit amount Rs.2,80,136/- which was deposited by the petitioner and the total amount of Rs.2,80,136/- calculated with 8% in the name and style of M.Ambalavanan 1st Class Contractor Petitioner's contract License No.M.QUA.4/23020/14 in registered No.60 for the public work for the period of 2016 to 2017.

For Petitioner : Mr.G.Anbusaravanan

For Respondent : Mr.J.Gunaseelan Muthiah

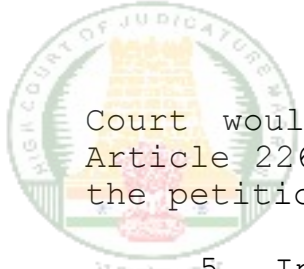
ORDER

Mr.J.Gunaseelan Muthiah, 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 14.06.2018 seeking to direct the respondent to issue the deposit amount Rs.2,80,136/- which was deposited by the petitioner and the total amount of Rs.2,80,136/- calculated with 8% in the name and style of M.Ambalavanan 1st Class Contractor Petitioner's contract License No. M.QUA.4/23020/14 in registered No.60 for the public work for the period of 2016 to 2017, 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 14.06.2018 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 done after giving due opportunity to the petitioner as well as to 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-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

+1CC to Mr.G.Anbusaravanan, Advocate, SR.No. 75619

+1CC to Mr.J.Gunaseelan Muthiah, Advocate, SR.No.75678

W.P.(MD) No.16718 of 2018
30.07.2018

AAV

ES/RP/SAR 4/11.09.2018/2P/3C