

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.16720 of 2018**

1. R.Komala
2. Ramya
3. Praveen
4. R.Adhivashnavi

... Petitioners

vs.

1. The Commissioner
Commissioner of Municipal Administration
Chepauk, Chennai.
2. The Regional Director
Municipal Administration and Water
Supply Department
Tirunelveli 627 002.
3. The Commissioner
Sivakasi Municipality
Sivakasi

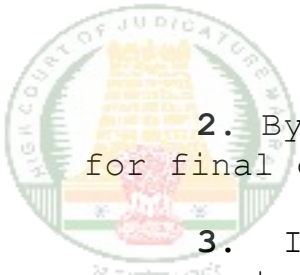
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first and second respondents herein to pass appropriate orders to the third respondent to disburse an amount of Rs.24,21,259/- to the petitioners as compensation towards the land to an extent of about 300.03 Sq Metres in Block No.3, Survey No.74/3B2, Sivakasi, now in Survey no.76/1, Sivakasi Municipality taken by the third respondent for the purpose of laying link road (C5C5 Road) connecting Kamarajar Road and Shield Road, together with subsequent interest at 18% per annum from 06.07.2011, thereby considering the representation of the petitioners dated 30.05.2018, within the time frame as may be fixed by this Honourable Court.

For Petitioners	: Mr.G.Aravinthan
For Respondents	: Mr.S.Nagarajan
No. 1 and 2	Special Government Pleader
No.3	: Mr.Dilip Kumar

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 and 2 and Mr. Dilip Kumar learned counsel takes notice for third 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 30.05.2018 directing the first and second respondents herein to pass appropriate order to the third respondent to disburse an amount of Rs.24,21,259/- to the petitioners as compensation towards the land to an extent of about 300.03 Sq Metres in Block No.3, Survey No.74/3B2, Sivakasi, now in Survey no.76/1, Sivakasi Municipality taken by the third respondent for the purpose of laying link road (C5C5 Road) connecting Kamarajar Road and Shield Road, together with subsequent interest at 18% per annum from 06.07.2011, has not been considered by the third respondent till date and therefore, they have 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 third respondent to consider the petitioners representation dated 30.05.2018 on its own merits and take further action in accordance with law, within a period of eight 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 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-III)

To

1. The Commissioner

<https://hcservices.accounts.gov.in/hcservices/>
Commissioner of Municipal Administration
Chepauk, Chennai.



2. The Regional Director
Municipal Administration and Water
Supply Department
Tirunelveli 627 002.

WEB COPY

+1cc to Mr.G.Aravinthan, Advocate SR.No.75674
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.76233
Aav
MK/RP/SAR 3/10.08.2018/3P/5C

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30.07.2018