



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.16788 of 2018

and

W.M.P. (MD) No.14850 of 2018

J.Jeyalakshmi

... Petitioner

-Vs-

The District Collector,
Tirunelveli District,
Tirunelveli.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent to consider and pass orders on the representation of the petitioner dated 02.07.2018 for request for grant of lease for quarrying rough stones and jelly from the land bearing S.F.No.106 admeasuring 1.62.5 Hectares in Chathiramkondan village, formerly Sankarankoil Taluk, now Thiruvengadam Taluk, Tirunelveli District for the balance period of 5 years for completing 10 years period within the time frame fixed by this Court.

For Petitioner	: Mr.D.Srinivasa Ragavan
For Respondent	: Mr.S.Nagarajan Special Government Pleader

ORDER

Heard Mr.D.Srinivasa Ragavan, learned counsel appearing for the petitioner and Mr.S.Nagarajan, learned Special Government Pleader, who takes notice on behalf of 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 02.07.2018 seeking to grant of lease for quarrying rough stones and jelly from the land bearing S.F.No.106 admeasuring 1.62.5 Hectares in Chathiramkondan village, formerly Sankarankoil Taluk, now Thiruvengadam Taluk, Tirunelveli District for the balance period of 5 years for completing 10 years period, 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 02.07.2018, 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 conducting enquiry and 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. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

The District Collector,
Tirunelveli District,
Tirunelveli.

+ 1 CC TO Mr.D.SRINIVASA RAGHAVAN, ADVOCATE IN SR No. 75731

SM

TE/RP/SAR-1 : 11/08/2018 : 2P/3C

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