



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17354 of 2018

and

W.M.P.(MD) No.15259 of 2018

Vijaya

... Petitioner

vs.

1.The District Collector
Pudukkottai, Pudukkottai District

2.The Tahsildar
Thirumayam Taluk
Pudukkottai District

3.The Assistant Director
Public Works Department
Thirumayam
Pudukkottai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct respondents herein to permit the petitioner in using East-West 10 feet width, 300 meter length common pathway in Survey No.630/1 comprising 0.15.0 Ares Vaikkal poramboke in Thekattur Village, Thirumayam Taluk, Pudukkottai District, based on the petitioner's representation dated 28.07.2018.

For Petitioner : Mr.S.Gopalamanikandan

For Respondents : Mr.V.Anand

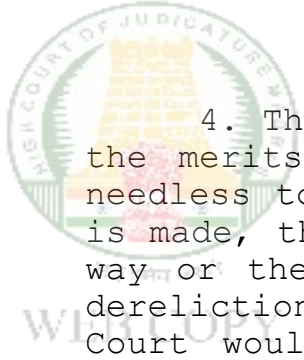
Government Advocate

ORDER

Mr.V.Anand, learned Government Advocate, takes notice for 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 her representation dated 28.07.2018 seeking to permit her in using East-West 10 feet width, 300 meter length common pathway in Survey No.630/1 measuring 0.15.0 Ares situated in Thekattur Village, Thirumayam Taluk, Pudukkottai District, has not been considered by the respondents till date and therefore, she has filed the present



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 28.07.2018 on its own merits and take further action in accordance with law, within a period of four 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 the persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1.The District Collector,
Pudukkottai, Pudukkottai District.

2.The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

3.The Assistant Director,
Public Works Department,
Thirumayam, Pudukkottai District.

+1CC to Mr.S.Gopalamanikandan, Advocate, SR.No.77113

+1CC to the Special Government Pleader SR.No. 77299

W.P.(MD) No.17354 of 2018 and

W.M.P.(MD) No.15259 of 2018

03.08.2018