



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.SATHYANARAYANAN**
and
THE HONOURABLE MRS.JUSTICE **R.HEMALATHA**

W.P (MD) No.22156 of 2017

O.Hemamal

.. Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The District Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Deputy Superintendent of Police,
Thakkalai Division, Takkalai,
Kanyakumari District.
4. The Inspector of Police,
Arumanai Police Station,
Arumanai, Kanyakumari District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus not to grant any permission to anyone to conduct any function in the name of Christmas and Pongal on the state Highway Road, which leads the way from Arumani to Kerala, by considering petitioner's representation on 31.10.2017 in accordance with law, by the time stipulated by this Court.

For Petitioner : Mr.K.A.Thirumalaiappan

For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

ORDER

[Order of the Court was made by **M.SATHYANARAYANAN, J.**]

By consent, this writ petition itself, is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Mr.A.K.Baskarapandian, learned Special Government

Pleader, appears, on behalf of the respondents.

3.The petitioner, who is a Christian by birth, came forward to file this writ petition, as a Public Interest Litigation, stating that he is also a practicing Advocate in the District Court at Kanyakumari District and he is doing social service for the welfare of the general public and the grievance expressed by him, is that under the guise of organising religious festivals and other meetings, procession/rallies are taken on the State Highways, which leads Arumanai to Kerala via., Arumanai, Kadayalumoodu, Kaliyal, Paththukani, Arukani and towards Kerala State and as a consequence, emergency service, such as, ambulance could not go and reach the hospital on time and that apart, the user of the road, is also put to great inconvenience and hardship. The petitioner, in this regard, has submitted a representation, dated 31.10.2017, to the respondents 1 to 4 and despite receipt and acknowledgment, no action has been taken to redress the grievance expressed by the petitioner and therefore, he came forward to file this writ petition.

4.The learned counsel appearing for the petitioner would submit that though the representation, dated 31.10.2017, submitted by the petitioner, was received and acknowledged on 01.11.2017, no steps have been taken to give a disposal to the said representation and also has drawn the attention of this Court to G.O.(Ms)No.99, Personnel and Administrative Reforms (A) Department, dated 21.09.2015, wherein the Government had issued instructions for dealing with the grievance petition and despite that the concerned respondents, did not even care and anxiety to dispose of the representation and therefore the petitioner is constrained to approach this Court by filing this writ petition.

5.Per contra, the learned Special Government Pleader appearing for the respondents would submit that the representation submitted by the petitioner would be duly considered and given disposal by the fourth respondent.

6.This Court has considered the rival submissions and perused the materials placed before it.

7.Though the petitioner prays for a larger relief, this Court, in the light of the aforesaid facts and circumstances of the case and without going into the merits of the claim projected by the petitioner, directs the fourth respondent to consider and dispose of the petitioner's representation, dated 31.10.2017, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The respondents, in event of receiving any representation, shall also take cognizance of G.O.(Ms)No.99, Personnel and Administrative Reforms (A) Department, dated 21.09.2015, and give a disposal to



the representation, as this Court repeatedly flooded with writ petitions seeking for disposal of the representations.

8.The writ petition stands disposed of accordingly. No costs.

WEB COPY

9.The Registry is directed to communicate a copy of this order to the Secretary, Personnel and Administrative Reforms Department, Government of Tamil Nadu, Chennai - 9.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The District Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Deputy Superintendent of Police,
Thakkalai Division, Takkalai,
Kanyakumari District.
4. The Inspector of Police,
Arumanai Police Station,
Arumanai, Kanyakumari District.

Copy to:

The Secretary,
Personnel and Administrative Reforms Department,
Government of Tamil Nadu,
Chennai - 9.

+ 1 cc TO Mr.K.A.Thirumalaiappan , Advocate in SR No. 40966
+ 1 cc TO The Special Government Pleader in SR No. 40891

smn
AE/SKN RSK/SAR4/22.01.2018/3P/8C