



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.7985 of 2017

WEB COPY

S.Alphones

... Petitioner

vs.

1.The District Collector,
District Collector Campus,
Kanyakumari District,
Nagercoil.

2.The Revenue Divisional Officer,
Kanyakumari District,
Nagercoil.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to conclude the enquiry in his proceedings in Na.Ka.No.A5/614/2010 dated 16.03.2017 and to pass the final order within time frame as fixed by this Court.

For Petitioner : Mr.N.Anandakumar

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

O R D E R

Heard Mr.N.Anandakumar, learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader appearing for the respondents.

2.It is the grievance of the petitioner that his representation dated 20.02.2017, to the respondents herein to take action in his representation and to conclude the enquiry as early as possible, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

3.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.



4. In view of the limited prayer sought for in this writ petition, there shall be a direction to second respondent to consider the petitioner's representation dated 20.02.2017, on its own merits and take further action in accordance with law, within a period of twelve 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 any other persons who may be interested in the subject matter.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar (CS-III)

To:

1. The District Collector,
District Collector Campus,
Kanyakumari District,
Nagercoil.
2. The Revenue Divisional Officer,
Kanyakumari District,
Nagercoil.

+1cc to Mr. N. ANANDA KUMAR, Advocate, SR.No. 76917
+1cc to M/s. Special Government Pleader, SR.No. 77014

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DAS
KK/SV/SAR-3/17.09.2018/2P-5C