



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2021

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.18059 of 2020

V.Kannan : Petitioner

Vs.

1.The State of Tamilnadu,
represented by Secretary,
Municipal Administration and
Water Supply Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Municipal Administration
and Water Supply Department,
Ezhilagam, Chepauk, Chennai-600 005.

3.The Commissioner,
Madurai Municipal Corporation,
Madurai.

4.S.Thirupathi

5.A.Palanikumar

6.P.Regunathan : Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 to 3 to consider the representation of the petitioner, dated 10.11.2020 on merits and in accordance with law and pass appropriate orders after affording an opportunity of hearing to the petitioner within a time frame fixed by this Court.

For Petitioner

:Mr.N.Satheesh Kumar

For R1 and R2

:Mr.P.Mahadevan,

Additional Government Pleader

For R3

:Mr.R.Murali

For R4 to R6

:Mr.K.K.Kannan

ORDER

Since the petitioner's request to the respondents to bring out appropriate service rules governing the street light section of the third respondent Corporation and the other reliefs were not



considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 10.11.2020, which is still pending.

2.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3.In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the petitioner's representation dated 10.11.2020, within a stipulated time and thereby the ends of justice could be secured.

4.Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 10.11.2020, on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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To

1.The Secretary,
The State of Tamilnadu,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.



2.The Commissioner of Municipal Administration
and Water Supply Department,
Ezhilagam, Chepauk, Chennai-600 005.

+1 CC to Mr.R.MURALI, Advocate (SR-996[F] dated 18/01/2021)

+1 CC to Mr.K.K.KANNAN, Advocate (SR-708[F] dated 08/01/2021)

+1 CC to SGP (SR-788[F] dated 11/01/2021)

+1 CC to Mr.B.SARAVANAN, Advocate (SR-828[F] dated 11/01/2021)

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