



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13805 of 2022
and
W.M.P.No.13094 of 2022

M.Sudha,
W/o. Murugesan,
Proprietor of M/s.K.S.Clinic,
Santhaipettai Opposite
Erode Road,
Avinashi, Tiruppur Dt.

Residing at
Door No.9/366D, Narasa Street,
Avinashi - 641 654.

...Petitioner

Vs

- 1.The District Collector,
District Collector Office,
Tiruppur.
- 2.The Joint Director,
Health Department,
Government Hospital Complex,
Tiruppur.
3. The Tahsildar,
Avinashi Taluk,
Tiruppur Dt.
4. The Taluk Medical Officer,
Government Primary Health Centre,
Sevur,
Avinashi Tk.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, desal petitioner clinic namely K.S.Clinic located Santhaipettai Opposite, Erode Road, Avinashi, Tiruppur District by considering petitioner representation dated 17.05.2022.



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For Petitioner : Mr.M.Guruprasad

For Respondents: Mr.P.Sathish,
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 17.05.2022 seeking to desal petitioner clinic viz., K.S.Clinic located at Santhaipettai Opposite, Erode Road, Avinashi, Tiruppur District. Since the said representation was not considered, the present writ petition has been filed.

3. 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.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 17.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

rpp/kst



To

1. The District Collector,
District Collector Office, Tiruppur.

2. The Joint Director,
Health Department,
Government Hospital Complex,
Tiruppur.

3. The Tahsildar,
Avinashi Taluk, Tiruppur Dt.

4. The Taluk Medical Officer,
Government Primary Health Centre,
Sevur, Avinashi Tk.

+lcc to Mr.M.Guruprasad, Advocate SR.No.32239(07.06.2022)

W.P.No.13805 of 2022

Pm(CO)
GMY(06/06/2022)