



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD)No.9789 of 2022

P.Arumugam

... Petitioner

/vs./

1.The General Manager (Administration),
TNCSC Head Office, Chennai - 600 010.

2.The Deputy Collector/Regional Manager,
Tamilnadu Civil Supplies Corporation,
Madurai Region, Madurai - 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to conduct enquiry with regard to the missing of 3049 Paddy bags which were stocked in District Paddy Procurement Center situated in Valrajapuram DPC, Chellampatti Union, Usilampatti Taluk, Madurai District and consequently, direct the second respondent to take steps to get back the same on the basis of the petitioner's representation, dated 27.04.2022.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.G.Mohan Kumar
Standing Counsel

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 27.04.2022 seeking for conducting an enquiry with regard to the missing of 3049 Paddy bags, which were stocked in District Paddy Procurement Centre situated in Valrajapuram DPC, Chellampatti Union, Usilampatti Taluk, Madurai District and for taking steps to get back the same. 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 27.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Sm

To

1. The General Manager (Administration),
TNCSC Head Office, Chennai - 600 010.

2. The Deputy Collector/Regional Manager,
Tamilnadu Civil Supplies Corporation,
Madurai Region, Madurai - 625 020.

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-24639[F] dated
08/06/2022)

W.P.(MD) No.9789 of 2022

Dated:

06.06.2022

RK(13/06/2022) 2P 4C