



WP(MD) No.16740 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.16740 of 2024

P.Srinivasan

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Highways and Minor Ports Department,
Secretariat,
Chennai – 600 009.

2.The Director General,
Highways Department,
No.76, Sardar Patel Road,
Opp to Raj Bhavan,
Little Mount, Guindy,
Chennai – 600 025.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents i.e., the Additional Chief Secretary to Government, Highways and Minor Ports Department, Chennai and the Director General, Highways Department, Chennai to consider the petitioner's representation dated



WP(MD) No.16740 of 2024

05.07.2023 and pass appropriate orders in the light of the orders in WP No.21880 of 2013 dated 25.04.2024, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.N.Ramesh Arumugam (R1)

Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking for a Writ of Mandamus directing the respondents i.e., the Additional Chief Secretary to Government, Highways and Minor Ports Department, Chennai and the Director General, Highways Department, Chennai to consider the petitioner's representation dated 05.07.2023 and pass appropriate orders in the light of the orders in WP No.21880 of 2013 dated 25.04.2024, within a specified time frame that may be fixed by this Court.

2. Heard Mr.S.Visvalingam, learned counsel for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate for the first respondent.



WP(MD) No.16740 of 2024

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3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner herein had given a request / representation to the respondents on 05.07.2023 with regard to the aforesaid prayer. Since the said representation was not considered by the respondents so far, the present writ petition has been filed.

5. 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. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.



WP(MD) No.16740 of 2024

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6. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's request / representation dated 05.07.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of.

No costs.

25.07.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

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WP(MD) No.16740 of 2024

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To

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WP(MD) No.16740 of 2024

R.N.MANJULA, J.

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Order made in
W.P.(MD)No.16740 of 2024

25.07.2024