



WP(MD). No.2232 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.01.2025

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THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

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C. Selvakumar

... Petitioner

Vs

1. The State Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration and Water Supply Department,
St.George Fort,
Chennai.

2. The District Collector,
Madurai Collector Office,
Madurai..

3. The Corporation Commissioner,
Madurai Commissioner Office,
Madurai..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Mandamus directing the respondents to prioritize the economically weaker schedule caste and Backward Class native people from Managiri in appointing for essential



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works of the said park like gardener, watch man, store keeper, administration works based on their qualification and in allocating shops to these native people, if any commercial complex or any shops will be established by Madurai Corporation for the needs of the people outside vandiyur park based on the petitioner's representation dated 23.12.2024

For Petitioner : Mr.C.Selvakumar (party-in-person)
For Respondents : Mr.P.Thilak Kumar for R1 & R2
Government Pleader
Mr.S.Vinayak for R3

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition for a mandamus to direct the respondents to prioritize the economically weaker schedule caste and Backward Class native people from Managiri in appointing for essential works of the said park like gardener, watch man, store keeper, administration works based on their qualification and in allocating shops to these native people, if any commercial complex or any shops will be established by Madurai Corporation for the needs of the people outside



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Vandiyur park based on the petitioner's representation dated 23.12.2024

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3. In order to prioritize the people from the petitioner's area in allocating the shops to be established in the 3rd Corporation, the petitioner has given a representation to the official respondents on 23.12.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this petition.

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them 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 the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the 3rd respondent to consider the petitioner's representation dated



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23.12.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons, who may be interested in the subject matter, within a period of two 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 matter and that it is open to the concerned respondents to consider the same on its own merits.

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

No costs.

[M.S.R.,J]

[A.D.M.C.,J]

28.01.2025

NCC : Yes/No

Index : Yes/No

RR



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To

1.The Secretary,
Municipal Administration and Water Supply Department,
St.George Fort,
Chennai.

2. The District Collector,
Madurai Collector Office,
Madurai..



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M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
IN
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Date : 28.01.2025