IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9925 of 2014
and
M.P.No.1 of 2014

L.Rajendra Mohan
S/o.K.Lakshmanan .. Petitioner

vs.

The Commissioner,
Coimbatore Corporation,
Coimbatore. .. Respondent

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to renew the license granted to the petitioner by the respondent in compliance with the City Municipal Corporation Act, 1981.

For Petitioner : Mr.M.Rajamathivanan

For Respondent : Mr.J.Sathya Narayana Prasad

O R D E R

Heard Mr.M.Rajamathivanan, learned counsel for petitioner and Mr.J.Sathya Narayana Prasad, learned standing counsel for respondent.

2. Petitioner seeks a direction to the respondent to renew the license granted to the petitioner by the respondent in compliance with the City Municipal Corporation Act, 1981.

3. Learned counsel for petitioner submits that the petitioner was the licensed plumber of the respondent Corporation and after expiry of his license, the petitioner has applied for renewal. The petitioner's application for renewal was taken on file and the respondent by communication dated 16.07.2013 in Na.Ka.No.3851/2007/MD2 directed the petitioner to appear in person on 18.07.2013/19.07.2013 at 11.00 a.m. and to produce various certificates. Learned counsel submits that the petitioner had appeared before the respondent and produced all the certificates and the necessary documents. However, till date no orders have been passed on the petitioner's representation.

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4. Learned standing counsel for the respondent Corporation, on instructions, submits that the Corporation has passed a resolution bearing No.138 on 28.08.2013 restricting the age of the licensed plumber as 60 and as on the date of petitioner's representation, the petitioner was over aged.

5. It is not known whether the resolution would apply with retrospective effect and it could be applicable to this petitioner. This issue cannot be gone into by this Court and it is for the respondent to decide the same. In the light of the above, this Court directs the respondent to consider the petitioner's representation by considering the documents produced by him and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

The Commissioner,
Coimbatore Corporation,
Coimbatore.

+ 1 cc to Mr.R. Poorima, Advocate SR.15564

1 cc to Mr.J. SathyaNarayana Prasad, Advocate Sr.15567

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