

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10907 of 2015

and M.P.No.1 of 2015

K.Raja
Vice President
Anna Kamaraj Perunda Nilaya
Kadai Karargal Nala Sangam,
Bus Stand, Palacode, Dharmapuri District. ... Petitioner

Versus

1. The Joint Director,
Directorate of Town Panchayat,
Collectorate,
Dharmapuri District.

2. The District Collector,
Dharmapuri District,
Dharmapuri.

3. The Executive Officer,
Palacode Town Panchayat,
Palacode, Dharmapuri District.

4. The President,
Palacode Town Panchayat,
Palacode,
Dharmapuri District. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 3rd and 4th respondent to conduct the tender/auction in due process of law based on the representation dated 23.03.2015 and to allot the stalls in accordance with law.

For Petitioner : Mr.S.C.Vishwanth

For Respondents : Mr.V.Subbiah (for R1 to R3)
Special Government Pleader.
Mr.M.Perumal (for R4)

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that he is the Vice President of the petitioner association and according to him Palacode Town Panchayat, Dharmapuri District has two bus stands adjacent to each other and the grievance expressed by the petitioner is that husbands of two Councillors, who are also members of the present ruling party, made attempts to put up a shed in the vicinity of the bus stand and public at large objected to the same and they got permission from the Palacode Panchayat to put up and run shops. The petitioner association in this regard submitted a representation dated 23.03.2015, to the respondents and since, they have not been favoured with any response, came forward to file this writ petition.

3. Heard the submissions of Mr.S.C.Viswanth, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the respondents 1 to 3 and Mr.Perumal, learned counsel for the 4th respondent.

4. Though, the petitioner has prayed for a larger relief, in the facts and circumstances of this case, this Court is of the view that it would be suffice to direct the 3rd respondent to consider and dispose of the representation dated 23.03.2015, submitted by the petitioner, on merits and in accordance with law, after putting on notice the concerned persons, within a stipulated time frame.

5. In the result, this Court, without going into the merits of the said representation, directs the 3rd respondent to consider the representation dated 23.03.2015, submitted by the petitioner, on merits and in accordance with law, after putting on notice the concerned persons and pass orders, as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

6. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To
1. The Joint Director,
Directorate of Town Panchayat,
Collectorate,
Dharmapuri District.

2. The District Collector,
Dharmapuri District,
Dharmapuri.

3. The Executive Officer,
Palacode Town Panchayat,
Palacode, Dharmapuri District.

4. The President,
Palacode Town Panchayat,
Palacode,
Dharmapuri District.

+1 cc to Mr.S.C.Viswanath, Counsel for Petitioner,SR.20906.

vgi(co)
krd 28/4

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