

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1581/2015

Dr.D.Chozhan

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Petitioner

Versus

1.The District Collector
Kancheepuram District.

2.The Deputy Director of Municipality
Kancheepuram Division
Kancheepuram District.

3.The President
Uthiramerur Municipality
Kancheepuram District.

4.The Executive Officer
Uthiramerur Municipality
Kancheepuram District.

5.Mr.A.Kannan

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to remove the unauthorised four wheeler diesel work shop run by one Mr.Kannan, 5th respondent without any license from the authorities at Sunnambukara Street, [Near Post Ofice], Uthiramerur, Kancheepuram District within a time frame to be fixed by this Court.

For Petitioner : Mr.M.Kempraj

For R1 to R4 : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.M.Kempraj, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents 1 to 4 and with their consent, the writ petition is disposed of at the admission stage itself. Since the writ petition is disposed of without notice to the 5th respondent, the merits of the

allegations made by the petitioner as against the 5th respondent are not gone into and the same is left open to the official respondents to take note of the same.

2.The petitioner has given a representation dated 08.12.2014 calling upon the respondents 3 and 4 to take action against the 5th respondent, who according to him, is running an illegal automobile workshop in a residential area.

3.Learned counsel for the petitioner invited the attention of this Court to the proceedings of the 4th respondent dated 06.08.2014, wherein the petitioner was informed that the 5th respondent was granted one month time to vacate the premises. In spite of the same, the 5th respondent has not vacated the premises.

4.In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the respondents 3 and 4 to consider the petitioner's representation dated 08.12.2014, after issuing notice to the petitioner as well as to the 5th respondent and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Kancheepuram District.

2.The Deputy Director of Municipality
Kancheepuram Division
Kancheepuram District.

3.The President
Uthiramerur Municipality
Kancheepuram District.

4.The Executive Officer
Uthiramerur Municipality
Kancheepuram District.

1 cc to Mr.M.Kempraj ,Advocate, SR.No.5450

1 cc to Government Pleader,Sr.No5493

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pmk.25.2.2015



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