

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.20865 of 2015

and

M.P.No.1 of 2015

Rasipuram Dinasari Market
Kaikari and Pazha Viyabarigal
Nala Sangam
Rasipuram
Represented by President
S.Ganapathy
No.12A, Parasuraman Lane
Rasipuram, Namakkal District ... Petitioner

vs

1. The District Collector
Namakkal
2. The Commissioner
Rasipuram Municipality
Rasipuram
Namakkal District .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to take appropriate action in pursuance of the letter dated 15.5.2015, made in O.Mu.No.11537/2015/MZ passed by the first respondent, within a stipulated time.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.V.Subbiah
Special Government Pleader
for R1

Mr.R.Lakshminarayan
Additional Government Pleader
for R2

ORDER

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

2.The deponent of the affidavit filed in support of this writ petition, viz. the Secretary of the petitioner-Association, would state that there are 120 vegetable and fruit stalls in the Daily Market at Rasipuram and the members of the Association are authorised vendors in the Daily Market and are having licence to do the business. According to him, in and around Rasipuram Bus Stand, there are about 100 unauthorised vendors and they do not have any licence to run stalls on the platform and the second respondent has no authority to permit unauthorised vendors to do business on the platform and it is against the Resolution No.953 dated 24.9.2014, passed by the second respondent-Municipality, and the petitioner in this regard, repeatedly submitted representations dated 5.2.2015, 23.2.2015 and 29.4.2015, and on receipt of the same, the first respondent has forwarded it to the second respondent for appropriate action and last of such representation was made on 27.3.2015, and even thereafter also, no orders came to be passed and hence, the petitioner came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, Mr.V.Subbiah, learned Special Government Pleader, who accepted notice on behalf of the first respondent, and Mr.R.Lakshminarayan, learned Additional Government Pleader, who accepted notice on behalf of the second respondent.

4.This Court, in the light of the facts and circumstances and without going into the merits of the representation, directs the second respondent to consider and dispose of the petitioner's representation dated 27.3.2015, in accordance with law, after putting on notice, the persons concerned, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To:

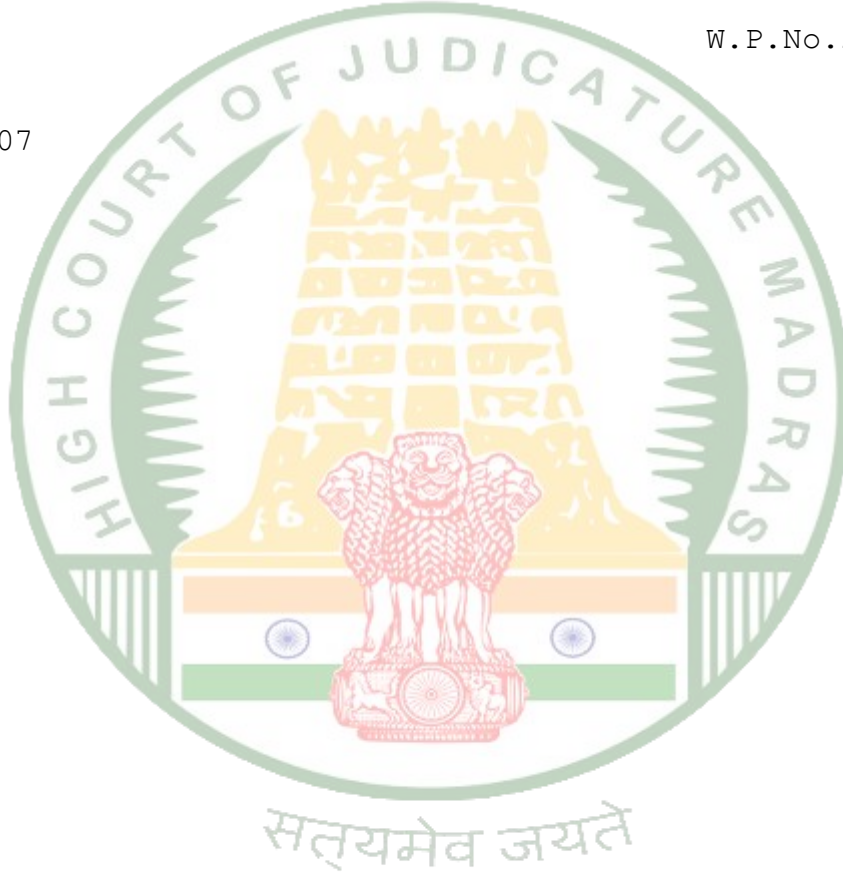
1. The District Collector
Namakkal
2. The Commissioner
Rasipuram Municipality
Rasipuram
Namakkal District

+1cc to Government pleader sr.no.35414

+1cc to M/s.S.Senthilnathan Advocate sr.no.35916,

W.P.No.20865 of 2015

sai[co]
srg 28.07



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