

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 26383 of 2015

Karthickeyan

..Petitioner

Vs.

1. The State of Tamil Nadu rep. by
The District Collector,
Coimbatore District.
 2. The President,
Coimbatore District Co-op Milk
Producers Union Ltd.,
Pachapalayam, Kalampalayam
Post, Coimbatore.
 3. The Commissioner,
Coimbatore Municipality
Commissioner,
Coimbatore Pin 641 044.
- ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 09.03.2015.

For Petitioner :: No appearance

For Respondents:: Mr.V.Jayaprakash Narayanan,
Special Govt. Pleader for
R1 & R2
Mr.D.Krishnakumar for R3

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O R D E R

This writ petition is filed for issue of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 09.03.2015.

2. The petitioner, who is an Editor of a monthly magazine, wanted to run an "aavin" outlet and therefore, sent a representation to the President of Coimbatore District Co-operative Milk Producers' Union Limited to grant him licence and allot 10x10 sq.ft building in Coimbatore Race Course Road or Jem Hospital or Brook Builders Road or Beer Medu or RTO Office or near Government Arts College. According to the petitioner, the General Manager of the said Union had, in turn, requested the Assistant Commissioner of Central Zone, Coimbatore Municipality to do the needful. Since there was no response, the petitioner sent a letter dated 13.06.2014 to the Assistant Commissioner of Central Zone, Coimbatore Municipality, in this regard. But, permission was not granted. Hence, the petitioner made a representation to the Commissioner, Coimbatore Municipality on 09.03.2015. However, no orders were passed. Hence, the present writ petition.

3. Though the matter has been listed under the caption "For Orders" today, there is no representation on behalf of the petitioner.

4. Mr.D. Krishnakumar, learned counsel for the 3rd respondent would submit that since there would be heavy flow of traffic in the areas where the petitioner sought permission for allotting a bunk shop, the petitioner's request cannot be granted. Mr.V. Jayaprakash Narayanan, learned Special Government Pleader appearing for respondents 1 and 2 would submit that if any bunk shop is located or if any place, in any of the areas mentioned by the petitioner, is allotted, it will be against public interest affecting free flow of traffic.

5. In view of the above submissions made by the learned Special Government Pleader for respondents 1 and 2 and the learned counsel for the 3rd respondent, the relief sought by the petitioner cannot be granted and the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

nv

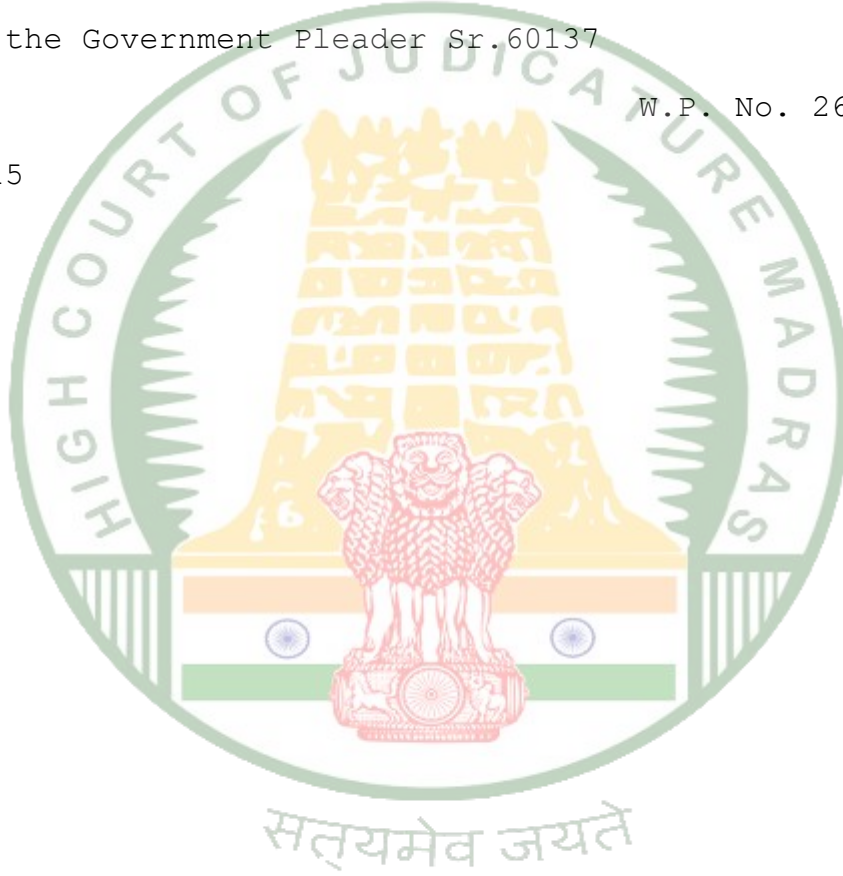
To

1. The District Collector,
Coimbatore District.
2. The Commissioner,
Coimbatore Municipality
Commissioner,
Coimbatore Pin 641 044.

+ 1 cc to the Government Pleader Sr.60137

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MP (CO)
EU 30.11.15



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