

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.11.2015

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No. 35180 of 2015

and

M.P.No.1 of 2015

K.Ramasamy

.. Petitioner

Vs

1. The Commissioner & Special Commissioner for Administration, Ezhilagam, 5th Floor, Chepauk, Chennai.
2. The Regional Director of Municipal Administrations, Salem, Arisipalayam.
3. The Director of Town Panchayat, Kuralagam, Madras.
4. The District Rural Development (Asst. Director). Block Development Officer, Panchayat Union. (Dharmapuri, Krishnagiri, Erode, Thiruppur).
5. The Commissioner, Erode Municipality, Erode.

...Respondents

PRAYER :

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to issue plumbers license.

For Petitioner : Mr.V.Raghavachari
For Respondents 1 to 4 : Mr.R.Vijayakumar
Addl. Govt. Pleader
For Respondent-5 : Mr.M.Raja Mathivanan
Standing Counsel

O R D E R

Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice for respondents 1 to 4 and Mr.M.Raja Mathivanan, learned Standing Counsel, takes notice for the fifth respondent.

2. The petitioner has filed this Writ Petition, praying for direction to the respondents to issue plumbers license.

3. The learned counsel appearing for the petitioner would submit that the competent authority to consider the petitioner's application would be the fifth respondent. The learned counsel would further submit that no other Municipalities and Corporations' license are being granted to the plumbers, which facilitates them to undertake the works in local bodies and also participate in tenders invited for such purpose. In this regard, the petitioner has enclosed a copy of the proceedings of Madurai Municipal Corporation dated 29.11.2012, in which, the plumbers licence has been renewed in favour of one Thiru.V.Manoharan, S/o.Velusamy, on receipt of a sum of licence fee of Rs.1,000/- and security deposit of Rs.50,000/-. From the papers placed before this Court, it is seen that this petitioner has not given a written application for grant of licence. Therefore, without filing an application before Authorities concerned, the petitioner should not have straightaway approached this Court and filed this Writ Petition. When faced with this situation, the learned counsel for the petitioner states that the petitioner would make appropriate application before the authority concerned, who may be directed to consider the same.

4. The learned Standing Counsel appearing for the fifth respondent would submit that a reasonable time may be given to the authority concerned to consider the representation on merits and in accordance with law.

5. Accordingly, the Writ Petition is disposed of, by directing the petitioner to submit an application in the appropriate format to the fifth respondent along with requisite fee, if any required to be paid, and, on receipt of the application, the fifth respondent is directed to consider the same in accordance with law and pass orders on merits within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Commissioner &
Special Commissioner for Administration,
Ezhilagam, 5th Floor, Chepauk, Chennai.
2. The Regional Director of Municipal Administrations,
Salem, Arisipalayam.
3. The Director of Town Panchayat,
Kuralagam, Madras.
4. The District Rural Development (Asst. Director).
Block Development Officer,
Panchayat Union.
(Dharmapuri, Krishnagiri, Erode, Thiruppur).
5. The Commissioner,
Erode Municipality, Erode.

- 1 CC to the Government Pleader, SR.No. 60089
1 CC to Mr.M.Raja Mathivanan, Advocate SR.No. 59633
1 CC to Mr.V.Raghavachari, Advocate SR.No. 59758

W.P. No. 35180 of 2015
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PA (CO)
PSI (19.11.2015)