

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.4099/2015 & MP.No.1/2015

U.Naziya Banu

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Petitioner

Versus

1.The District Collector
Villupuram.

2.The Commissioner
Tindivanam Municipality
Tindivanam, Villupuram District.

3.The Highways Engineer
National Highways Authority of India,
Villupuram Division, Villupuram.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the respondents from putting up bus shelter in front of petitioner's shop situated at New Door No.230, Old Door No.1314, Gingee Road, Tindivanam by considering the petitioner's representation dated 09.02.2015.

For Petitioner : Mr.G.Baskar

For R1 : Mr.R.Vijayakumar, AGP

For R2 : Mr.R.A.S.Senthilvel AGP

ORDER

Heard Mr.G.Baskar, learned counsel for the petitioner ; Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice for the 1st respondent and Mr.R.A.S.Senthilvel, learned counsel accepting notice for the 2nd respondent and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioner seeks for a direction to forbear the the respondents from putting up bus shelter in front of petitioner's shop situated at New Door No.230, Old Door No.1314, Gingee Road,

Tindivanam by considering the petitioner's representation dated 09.02.2015.

3.The petitioner would state that she was running an egg stall in the name and style of "Masha Muttaiyagam" in a rental premises and her husband was running a chicken stall in the name and style of "Masha Kozhi Kari Kadai" in the same address. Subsequently, they have shifted to the present address which is near the Gingee Bus stop and the said premises in which the petitioner and her husband are doing their business, is said to be their own premises. The petitioner is aggrieved by the proposal to erect a bus shelter in front of their shops. According to the petitioner, there are several other proper places to put the bus shelter and if the bus shelter is put up in front of the shop, it will not only be a hindrance to the petitioner and her customers but it will also result in traffic congestion. In this regard, a representation is pending before the authorities concerned.

4.In the light of the above, without going into the merits of the petitioner's representation, there will be a direction to the respondents 2 and 3 to consider the objections raised by the petitioner in her representation dated 09.02.2015 before erecting the bus shelter, if it has not been erected already. The above said direction shall be complied with by the respondents 2 and 3 within a period of three weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

AP

To

1.The District Collector
Villupuram.

2.The Commissioner
Tindivanam Municipality
Tindivanam, Villupuram District.

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3.The Highways Engineer
National Highways Authority of India,
Villupuram Division, Villupuram.

1 cc to Government Pleader, Sr. 9168
1 cc to Mr.G. Baskar, Sr. 8857

WP.No.4099/2015

RV (CO)
kk 24/2



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