



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2015

CORAM:

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD)No.20144 of 2015

and MP(MD)No.1 & 2 of 2015

K.Mohammed Idris

..Petitioner

Vs.

1.The Commissioner of Corporation,
Madurai Corporation
Corporation Office,
Madurai.

2.The Commissioner of Police,
Madurai City, Madurai District.

3.The Divisional Engineer
Highways (C & M)
Madurai.

4.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO)
K.K.Nagar Section Office,
Madurai - 625 020.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the Respondents 1 to 3 from interfering with Petitioner's Petty Shop business with valid license at Madurai to Trichy main road (Near to Meenakshi Mission Hospital).

For Petitioner : Mr.R.Gowrichankar

For R - 1 : Mr.R.Prabhu Ramachandran

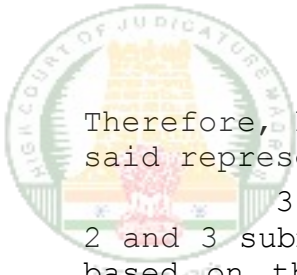
For RR 2 & 3 : Mr.M.Murugan
Government Advocate

For R - 4 : Mr.S.M.S.Jonny Basha

ORDER

Mr.M.Murugan, learned Government Advocate takes notice for the respondents 2 and 3. Mr.R.Prabhu Ramachandran, learned counsel takes notice for the first respondent and Mr.S.M.S.Jonny Basha learned counsel takes notice for the fourth respondent.

2.The petitioner is a licensee under the Highways Department of Madurai and he has been issued with licence for temporary occupation of highways land subject to certain conditions and such permission is valid upto 14.07.2016. According to the petitioner, when such permission is valid upto 14.07.2016, as of today and is in force, the respondents are trying to interfere with the possession of the petitioner without valid reason.



Therefore, he made a representation dated 27.10.2015. It is seen that the said representation is still pending.

3.The learned Government Advocate appearing for the respondents 2 and 3 submitted that the grievance of the petitioner will be considered based on the representation made by him and therefore, this Court can direct the third respondent to pass orders on the representation of the petitioner.

4.Accordingly, this writ petition is disposed of directing the third respondent to consider the grievance of the petitioner based on his representation dated 27.10.2015 and pass orders on the same on merits and in accordance with law by taking note of the fact that the licence issued to the petitioner is in force. Such exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City, Madurai District.

2.The Divisional Engineer
Highways (C & M) Madurai.

3.The Commissioner of Corporation,
Madurai Corporation Corporation Office,
Madurai.

4.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO)
K.K.Nagar Section Office,
Madurai - 625 020.

+1cc to M/s.R.Prabhu Ramachandran, Advocate in SR.No.65182

+1cc to M/s.R.Gowrishankar, Advocate in SR.No.65214

W.P. (MD) No.20144 of 2015
06.11.2015

mj

PBK/AAL-MP/SAR-II 18/11/2015 ::2P-7C::