

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.11941 of 2017
and W.M.P.No.12832 of 2017

S.Eswaramoorthy ... Petitioner

vs.

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Member Secretary,
Local Planning Authority (LPA),
Corporation Commercial Complex,
First Floor, TATA Path,
Sivanandha Colony,
Coimbatore - 641 012.
3. The Deputy Director,
Town and Country Planning,
Coimbatore Zone,
Coimbatore - 18.
4. The Executive Engineer,
Public Works Department,
Building and Maintenance Section,
Coimbatore-01.
5. The Superintendent of Police,
Office of Superintendent of Police,
Coimbatore District.
6. The Executive Officer,
Alandurai Panchayat Union,
Alandurai,
Coimbatore District.

7. M/s.Gokulam Theatre,
rep. by its Proprietor Murugesan,
Gokulam Complex,
Alandurai,
Coimbatore District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus forbearing the 1st respondent for granting any license to run cinema theatre in the name style of "Gokuam Cinema Theatre" in Alandurai Village, Coimbatore District without considering petitioner's representation dated 31.10.2016.

For Petitioner : Mr.V.Raghavachari
for M/s.MA.P.Thangavel

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1 to 6

ORDER

(Order of the Court was made by M.Sundar, J.)

This matter pertains to alleged attempts by the seventh respondent (private respondent) to re-commence/run a cinema theatre in the name style of "Gokulam Cinema Theatre" in Alandurai Village, Coimbatore District.

2. It is the case of the writ petitioner that a cinema theatre in fact was running at the same venue earlier but was shut down and converted into a departmental store by the seventh respondent.

3. The writ petitioner submits that if the seventh respondent re-commences the same theatre in the same place, it is not in the interest of larger community of the village.

4. In the light of the prayer (as abridged/restricted by the writ petitioner in the hearing), we express no opinion on the averments made by the writ petitioner.

5. The learned counsel appearing on behalf of the petitioner submits at the time of hearing that he abridges/restricts the prayer and it would suffice if the first respondent/District

Collector, Coimbatore is directed to dispose of the representation given by the petitioner being representation dated 19th January 2017.

6. Mr.M.K.Subramanian, learned Government Pleader accepts notice for all the 6 respondents.

7. The first respondent/District Collector, Coimbatore is directed to dispose of the representation of the petitioner dated 19th January 2017 (annexed at page No.27 of the typed set of papers) in a manner known to law after putting on notice those who at the discretion of the first respondent are concerned parties as expeditiously as possible and in any event within a period of one month from the date of communication of this order.

8. Though obvious, we make it clear that the first respondent/District Collector, Coimbatore shall consider and dispose of the aforesaid representation uninfluenced by anything that is said in this order regarding petitioner's averments.

9. The order disposing of the above said representation shall be communicated to the petitioner under due acknowledgment by the first respondent.

10. The writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.12832 of 2017 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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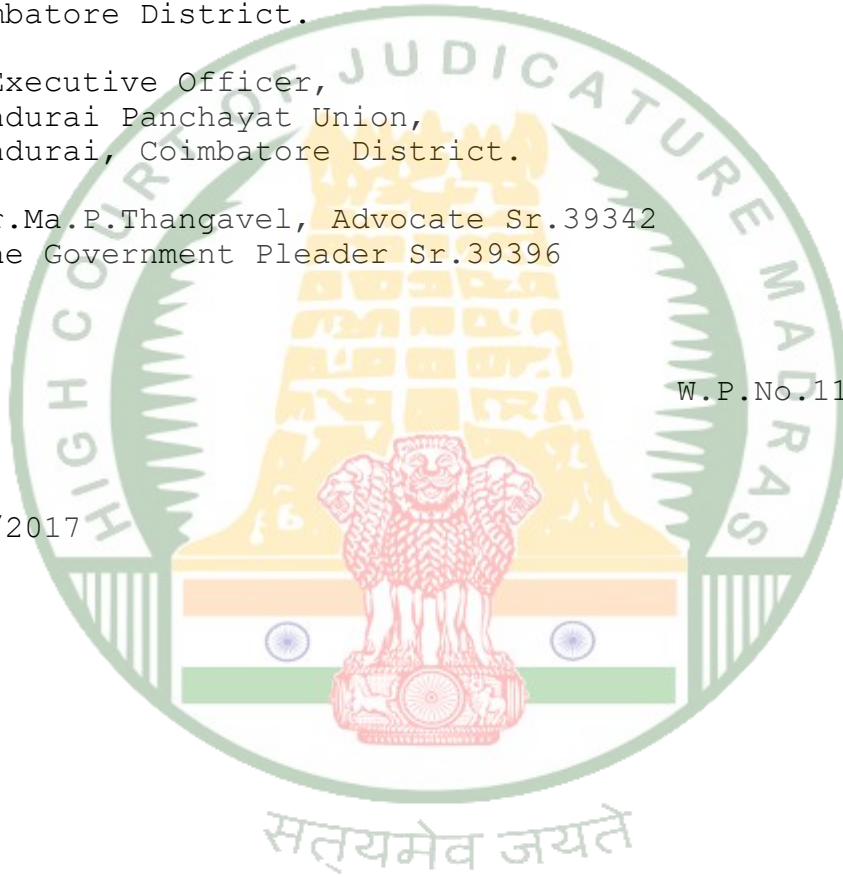
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+1cc to Mr.Ma.P.Thangavel, Advocate Sr.39342
+1cc to the Government Pleader Sr.39396

W.P.No.11941 of 2017

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