



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.2920 of 2014

and

M.P.(MD) No.1 of 2014

G.Sevugapandi

: Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Madurai

: Respondent

Prayer : Writ Petition filed under article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the respondent to grant license for the petitioner's petty shop in an extent of 8 x 6 feet box situated at 5th Ward, Lal Bahadur Sasthri Street, Near Income Tax Office, B.B. Kulam, Madurai within the time prescribed by this court.

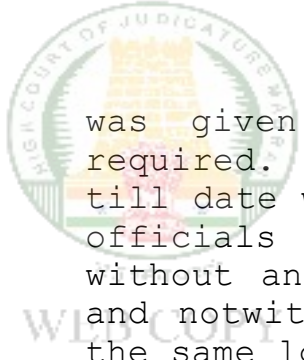
For Petitioner : Mr. Ashwin Rajasimman for
Mr.T.Lajapathi Roy
For Respondent : Mr. R. Murali

O R D E R

The petitioner approached this Court seeking for the relief stated above.

2.Mr.R.Murali, learned standing counsel for the Madurai Corporation takes notice for the respondent.

3.The learned counsel for the petitioner submits that the petitioner has been running small petty shop within the premises measuring an extent of 8 x 6 feet located at 5th Ward, Lal Bahadur Sasthri Street, Near Income Tax Office, B.B.Kulam, Madurai. The family of the petitioner has been managed from the small income earning of the petty shop. Originally, the said shop was allotted to one Mr.Gopal and the same is changed to the name of the petitioner, after a period of time. In 2012, the shop



was given to the petitioner after completion of formalities required. From 2012, the petitioner has been running the shop till date without any interruption. However, in 2013, some of the officials of the respondent Corporation tried to evict the shop without any prior notice to him. However, the same was resisted and notwithstanding the action, still he is running the shop on the same location.

4. In the above circumstances, only to regularise the right to running the said shop, the petitioner submitted a representation dated 11.02.2014 to the respondent Corporation seeking permission to run the shop and prevent the officials from evicting him from the said premises. According to the petitioner, the said representation stated to have been made in 2014 has not been considered so far and the same is still kept pending all these years.

5. The learned standing counsel for the respondent Corporation submits that he has no objection for consideration of the petitioner's representation by the officials concerned and direction may be issued in that regard.

6. In view of the limited prayer sought in the writ petition, the writ petition is disposed of at the admission stage with a direction to the respondent Corporation to consider and dispose of the representation stated to have been made on 11.02.2014 by the petitioner on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To
The Commissioner,
Madurai Corporation, Madurai.
+One cc to Mr. R. Murali, Advocate, SR.No.14998
Arul
RL/3C/2P/RR/28.3.2017

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and
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