



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.1196 of 2017

P.Pirammanayagam

... Petitioner

Vs.

The Executive Officer,
Special Grade Town Panchayat,
Alangulam,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to refund the advance amount and rent deposited to a sum of Rs.55,101/- along with interest @ 18% per annum in respect of Shop No.4, situated in Alangulam Bus-stand, Tirunelveli District or hand over the Shop No.4 for a period of three years from the date of handing over, as per the licence and also direct the respondent to pay compensation, which this Honourable Court found just and reasonable within the time fixed by this Court.

For Petitioner : Mr.H.Arumugam
For Respondent : Mr.Aayiram K.Selvakumar,
Government Advocate

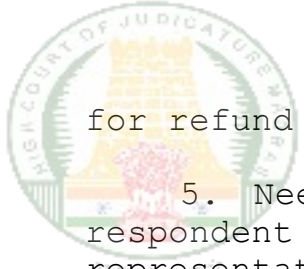
O R D E R

Mr.Aayiram K.Selvakumar, learned Government Advocate takes notice for the respondent.

2. By consent of parties, the main Writ Petition itself is taken up for final disposal.

3. The petitioner seeks for a direction to the respondent to refund the advance amount and rent deposited totally to the tune of Rs.55,101/- in respect of Shop No.4 situated at Alangulam bus-stand, Tirunelveli District or to hand over the shop for a period of three years from the date of handing over.

4. The grievance of the petitioner is that even though he made such deposit, the shop was not handed over to him in view of the pendency of a civil suit, which also ended against the erstwhile licensee. Therefore, the petitioner seeks for a direction either



for refund of the deposited amount or for handing over the shop.

5. Needless to say that the petitioner has to approach the respondent and seeks for such relief by making appropriate representation, only then, the respondent will be in a position to consider the same and pass orders, on merits and in accordance with law. Without doing so, the petitioner has filed the present writ petition.

6. Therefore, this Writ Petition is disposed of with a direction to the petitioner to approach the respondent and make a representation seeking for refund of the deposited amount. If any such representation is filed, the same shall be considered by the respondent and appropriate orders, on merits and in accordance with law, shall be passed, within a period of six weeks from the date of receipt of such representation. It is made clear that this Court is not expressing any view on the claim made by the petitioner and on the merits of the matter as it is for the respondent to consider the same on merits. No Costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Executive Officer,
Special Grade Town Panchayat,
Alangulam, Tirunelveli District.

+ 1 CC TO Mr.H.ARUMUGAM, ADVOCATE IN SR No. 4566

PM
TE/SV-MMS : 03/02/2017 : 2P/3C

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