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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.12242 of 2017

and

W.M.P (MD) No.9424 of 2017

R.Anbarasi

.. Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai - 625 020.

2.The Divisional Engineer,
Madurai Division,
State Highway Construction,
Alagarkovil Road,
Madurai - 625 002.

3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Mattuthavani, Madurai.

4.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to permit petitioner for running of the shop No.359/2012 situated at near and in front of Mattuthavani Flower Market, Madurai, on basis of the petitioner's representations dated 30.04.2014 and 10.02.2017 pending process for renewal application on the file of the second respondent.

For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.C.Selvaraj,
Special Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the second respondent to permit the petitioner for running Shop No.359/2012, situated near and in front of Mattuthavani Flower Market, Madurai, on the basis of the petitioner's representations dated 30.04.2014 and 10.02.2017, pending process for renewal application on the file of the second respondent.



2.Mr.C.Selvaraj, learned Special Government Pleader, takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.

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4.Heard both sides.

5.The petitioner made a representation dated 13.02.2017 to the first respondent for running Shop No.359/2012, situates near and in front of Mattuthavani Flower Market, Madurai, and the second respondent has also forwarded the representation submitted by the petitioner, dated 10.02.2017, to the first respondent, by proceedings, dated 27.02.2017. According to the learned counsel for the petitioner, earlier, representations had already been submitted, but none of them have been considered by the respondents so far.

6.The learned Counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 13.02.2017, is disposed of by the first respondent as per law.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 13.02.2017, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice.

8.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai - 625 020.

2.The Divisional Engineer,
Madurai Division,
State Engineering Construction,
Alagarkovil Road,
Madurai - 625 002.



3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Mattuthavani, Madurai.

4.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

+1cc to M/s.Special Government pleader,SR.63320

+1cc to M/s.A.Jeyaram,Advocate,SR.63547

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and

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