



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 31.01.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
W.P (MD) No.1511 of 2017

WEB COPY

R.Shanmugasundaram

.. Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director of Town Panchayats,
Tirunelveli Region,
Tirunelveli.

3.The Executive Officer,
Valliyoor Town Panchayat,
Valliyoor,
Tirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the Petitioner's representation dated 3.1.2017 and to conduct the public auction in respect of the shop old No.9, New No.16, located at New Bus Stand, Vadakku Valliyoor Town Panchayat, Tirunelveli District within the time stipulated by this Court.

For Petitioner :M/s.R.Thangamani
For Respondents :Mr.A.Muthukaruppan
1 and 2 Addl.Govt.Pleader
For Respondent-3 :Mr.J.Gunaseelan Muthiah
Govt.Advocate

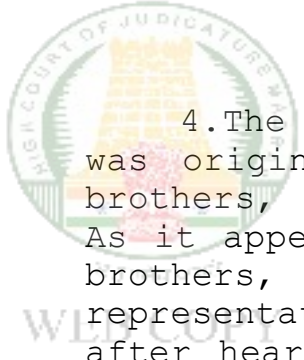
ORDER

The Petitioner seeks for a Mandamus to consider his representation dated 3.1.2017, wherein and whereby, he sought for bringing shop old No.9, New No.16, located at New Bus Stand, Vadakku Valliyoor Town Panchayat, Tirunelveli District by way of public auction.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents1 and 2 and Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the third

<https://hcservices.ecourt.gov.in/hcservices/>

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.



4.The grievance of the Petitioner is that the said shop which was originally run by his father, is now being run by other brothers, without giving the Petitioner any chance to join them. As it appears that the dispute is between the Petitioner and his brothers, it is for the third respondent to consider the representation of the Petitioner and pass orders on the same, after hearing the Petitioner as well his brothers. This Court is not expressing any view on the claim made by the Petitioner.

5.Considering the limited scope of the prayer sought for and without expressing any view on the merits of the claim made by the Petitioner, I only direct the third respondent to consider the representation of the Petitioner, dated 3.1.2017 and pass orders on the same, on merits and in accordance with law, also by hearing the Petitioner as well as his brothers, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director of Town Panchayats,
Tirunelveli Region,
Tirunelveli.

3.The Executive Officer,
Valliyoor Town Panchayat,
Valliyoor,
Tirunelveli District.

+1 cc to MR.T.THANGAMANI,ADVOCATE, SR NO:5059

+1 cc to MR.J.GUNASEELAN,ADVOCATE, SR NO:4988

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO:5332

W.P (MD) No.1511 of 2017
31.01.2017

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