



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2017

CORAM

THE HONOURABLE **MR. JUSTICE .R. MAHADEVAN**

Writ Petition(MD).No.15575 of 2017

S.Murugan

... Petitioner

Vs

1. The Commissioner of Municipal Administration,
Chepauk, Chennai- 600 005.

2. The Regional Director of Municipal Administration,
Thanjavur.

3. The Commissioner,
Manapparai Municipality,
Manapparai, Trichy District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the first respondent herein to take action against the third respondent for his illegal acts by considering the petitioner's representation dated 21.06.2017 on merits and in accordance with law within the time limit as stipulated by this Court.

For petitioner : Mr.K.Hemakarthiskeyan

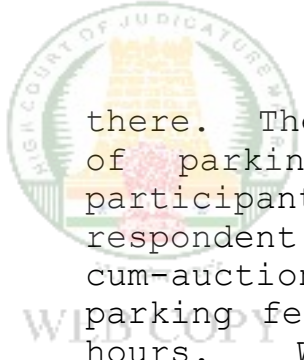
For R1 & R2 : Mr.J.Gunaseelan Muthiah
Government Advocate

For R3 : Mr.J.Lawrance

ORDER

The petitioner seeks for a direction to the first respondent to take action against the third respondent alleging illegal acts, by considering the petitioner's representation dated 21.06.2017 on merits and in accordance with law.

2.The case of the petitioner is that he is a registered
<https://hcservices.ecourts.gov.in/hcservices/> participated in the tender-cum-auction for pay and
use toilet at Manapparai Bus Stand and two-wheeler parking stand



there. The third respondent has not fixed the fees for collection of parking fees for two-wheeler. Therefore, the intending participants including the petitioner had requested the third respondent to fix the parking fees before conducting the tender-cum-auction. Accordingly, the third respondent has fixed the parking fees for cycle as Rs.4/- and motorcycle as Rs.6/- for 12 hours. While so, now the third respondent has passed the proceedings dated 06.06.2017, wherein, he has mentioned the parking fees for cycle as Rs.2/- and motorcycle is Rs.4/- for 12 hours. Therefore, the petitioner sent a representation to the respondents 1 and 2 requesting to re-fix the parking fees as per the original resolution and also take action against the third respondent. Since no action was taken, the present writ petition has been filed.

3. Though the petitioner has sought for the larger relief as above, the learned Counsel appearing for the petitioner would submit that it would suffice, if the representation dated 21.06.2017 submitted by the petitioner may be directed to be considered by the first respondent.

4. Heard the learned Counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

5. The learned Government Advocate appearing for the respondents 1 and 2 would submit that if a reasonable time is granted to the first respondent, appropriate orders will be passed on the representation of the petitioner.

6. In view of the above submission and also 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 21.06.2017 and pass appropriate orders on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To

1. The Commissioner of Municipal Administration,
Chepauk, Chennai- 600 005.

2. The Regional Director of Municipal Administration,
Thanjavur.

+ 1 cc TO The Special Government Pleader in SR No. 79869
+ 1 cc TO Mr.K.Hemakarthiskeyan , Advocate in SR No. 79711
+ 1 cc TO Mr.J.Lawrance , Advocate in SR No. 80222

skn

AE/KP/SAR4/02.11.2017/3P/6C

Writ Petition(MD).No.15575 of 2017
19.09.2017