



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) No.16898 of 2017

and

W.M.P. (MD) No.13465 of 2017

S.Kumar

... Petitioner

-vs-

1. The District Collector,
Kanyakumari District,
Nagercoil.

2. The Commissioner,
Nagercoil Municipality,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from disturbing the temporary fruit stall business run by petitioner at Kanagamoolam Daily Market, Vadasery, Nagercoil, Kanyakumari District on the basis of the petitioner's representation dated 26.08.2017.

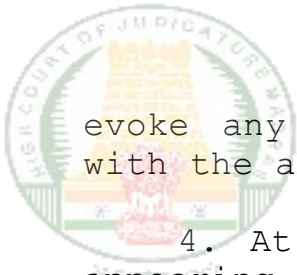
For Petitioner	: Mr.G.Ramanathan
For R1	: Mr.M.Alagathevan
	Spl. Govt. Pleader
For R2	: Mr.P.Athimoolapandian

O R D E R

This writ petition has been filed, seeking to forbear the respondents from disturbing the temporary fruit stall business run by the petitioner at Kanagamoolam Daily Market, Vadasery, Nagercoil, Kanyakumari District on the basis of the petitioner's representation dated 26.08.2017.

2. Heard the learned counsel for the parties.

3. The case of the petitioner is that the petitioner, fearing that he would be evicted from the place where he is running a temporary fruit stall, pursuant to the eviction of some of the persons recently without any notice, has submitted a representation dated 26.08.2017 to the respondents, requesting them not to disturb his fruit stall business and the same did not



evoke any response. Hence, the petitioner is before this Court with the above prayer.

4. At this juncture, the learned Special Government Pleader appearing for R1 and the learned counsel for R2 would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders passed.

5. In view of the above submissions, this Court, without going into the merits of the matter, directs the respondents to dispose of the petitioner's representation dated 26.08.2017 and pass appropriate orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Commissioner,
Nagercoil Municipality,
Nagercoil,
Kanyakumari District.

+1cc to Spl.Government Pleader Sr.No.77717
+1cc to Mr.G.Ramanathan, Advocate Sr.No.77092

AR/RM

VB/GT/SAR1/21/09/2017/2P/5C

W.P (MD) No.16898 of 2017
07.09.2017