



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21349 of 2017

Thangavel

... Petitioner

Vs.

1.The Regional Director,
Regional Directorate of Municipal Administration,
Madurai - 625 016.

2.The Commissioner,
Sivagangai Municipality,
Sivagangai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing respondents to hand over Shop No.1 situated in Sivagangai Municipality bus stand, Sivagangai to the petitioner based on his representation dated 07.08.2017 within the time frame fixed by this Court.

For Petitioner : Mr.S.Karthick Subramanian

For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondents to hand over Shop No.1 situated in Sivagangai Municipality bus stand, Sivagangai, to the petitioner, based on his representation dated 07.08.2017.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The case of the petitioner is that originally shop No.1 situated in Sivagangai Municipality bus stand was run by him by paying monthly rent as fixed by the second respondent Municipality. Meanwhile, the petitioner was not in a position to run the shop due to his heart ailment and at that time, one Ramamoorthi, got allotment order in respect of the said shop in his favour. The



grievance of the petitioner is that before allotment, no notice was sent to him by the second respondent. Hence, he has given the representation dated 07.08.2017 to the respondents to hand over the said shop to him. Since the same has not been considered so far, the petitioner is before this Court by filing the present writ petition.

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4.The learned Special Government Pleader appearing for the respondents submitted that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and appropriate orders will be passed.

5.In view of the said submission, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioner dated 07.08.2017 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, after affording an opportunity of hearing to the petitioner as well as any of the interested parties.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

1.The Regional Director,
Regional Directorate of Municipal Administration,
Madurai - 625 016.

2.The Commissioner,
Sivagangai Municipality,
Sivagangai.

+1cc to Mr.S.KARTHICK SUBRAMANIAN Advocate in SR. No. 88381

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 89093

MJ

JS/KP/SAR.4/8.12.2017/2P-5C

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