



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.23529 of 2017

S.Saarangapani

... Petitioner

Vs.

The Commissioner,
Trichy Corporation,
Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent to consider the petitioner's representation dated 17.07.2017 and consequently permit the petitioner to put up temporary occupation in front of his shop situated in N.S.B. Road, Trichy City, by following the permission granted to other 40 shop owners in the N.S.B. Road, Trichy City, within a time frame fixed by this Court.

For Petitioner
For Respondent

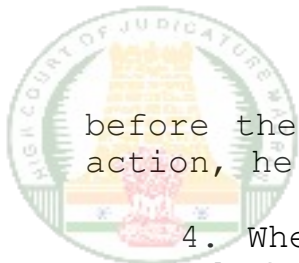
: Mr.J.Jeyakumaran
: Mr.N.S.Karthikeyan,
Additional Government Pleader

ORDER

By consent, this writ petition itself is taken up for final disposal.

2. Mr.N.S.Karthikeyan, learned Additional Government Pleader, takes notice for the respondent.

3. The case of the petitioner is that the subject mentioned property belongs to the Church of South India Association, where, the petitioner along with his father had put up a stationary shop and after obtaining permission from the respondent Corporation, they as well as adjacent shop owners had put up a sunshade, by way of temporary occupation in front of their respective shops, for which, they are paying rent to the respondent Corporation. Whereas, according to the petitioner, after the demise of his father, the respondent Corporation refused to grant permission to have the temporary occupation in front of his shop. In this regard, the petitioner has also submitted a representation dated 17.07.2017,



before the respondent and as the same is kept pending, without any action, he is before this Court.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 17.07.2017, is disposed of, by the respondent, on merits.

5. Considering the facts and circumstances of case and also the limited scope of the prayer sought for, this Court, without going into the merits of the claim, directs the respondent to consider the representation of the petitioner dated 17.07.2017 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 all the other interested parties, if any, 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.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Trichy Corporation,
Trichy District.

+ 1 CC TO Mr.J.JEYAKUMARAN, ADVOCATE IN SR No. 93882
+ 1 CC TO Mr.N.S.KARTHIKEYAN, ADVOCATE IN SR No. 93859

GK
TE/SV-MMS/SAR-2 : 09/01/2018 : 2P/4C

ORDER MADE IN
W.P (MD) No.23529 of 2017
20.12.2017