



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.23642 of 2017
and
WMP(MD)No.19859 of 2017

K.Senthilkumar

... Petitioner

vs.

1. The Principal Secretary cum Commissioner
of Revenue Administration,
Chepauk,
Chennai - 600 005.

2. The District Collector,
The District Collector Office,
Thanjavur District.

3. The Sub Collector,
Kumbakonam Taluk Office,
Thanjavur District.

4. The Tahsildar,
Kumbakonam Taluk Office,
Kumbakonam Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 06.10.2017 and till then to permit him to vend stamps in the very same bunk or in any place within the Taluk Office compound of Kumbakonam.

For Petitioner : Mr.K.Baalasundharam
For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

This writ petition has been filed seeking direction to the first respondent to consider the petitioner's representation dated 06.10.2017 and permit him to vend stamps in the very same bunk or in any place within the Taluk Office compound of Kumbakonam, till the orders to be passed in the representation.



2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing 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 he was appointed as a stamp vendor by the proceedings of the District Registrar, Kumbakonam, in Na.Ka.No.2159/2008/E dated 21.22.2008 and after obtaining necessary permission from the authorities concerned, he installed a bunk in the Taluk Office of Kumbakonam. While so, the third respondent directed the petitioner to remove the bunk installed inside the premises of the Taluk Office of Kumbakonam. Therefore, the petitioner has submitted a representation dated before the first respondent on 12.05.2017. Since no order has been passed in the representation, the petitioner filed W.P(MD)No.9168 of 2017 which was disposed of on 17.05.2017. Pursuant to the order passed by this Court, the first respondent vide proceedings dated 01.08.2017 rejected the request of the petitioner. Hence, the petitioner has challenged the said order by filing W.P(MD)No.15151 of 2017. The said writ petition was disposed of by an order dated 11.09.2017 based on the undertaking affidavit filed by the petitioner extending the time till 31.12.2017. Thereafter, the petitioner has once again submitted another representation dated 06.10.2017 seeking a direction to the first respondent to permit him to vend stamps in the very same bunk or in any place within the Taluk Office compound of Kumbakonam, till the orders to be passed in the representation. Since no order has been passed so far, the present writ petition has been filed for the relief stated supra.

4. The learned Special Government Pleader appearing for the respondents submitted that if 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 made by the learned Special Government Pleader appearing for the respondents, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation dated 06.10.2017 and pass appropriate orders 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. Consequently, WMP(MD)No.19859 of 2017 is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/



To

1. The Principal Secretary cum Commissioner
of Revenue Administration,
Chepauk,
Chennai - 600 005.

2. The District Collector,
The District Collector Office,
Thanjavur District.

3. The Sub Collector,
Kumbakonam Taluk Office,
Thanjavur District.

4. The Tahsildar,
Kumbakonam Taluk Office,
Kumbakonam Taluk,
Thanjavur District.

+ 1 CC TO Mr.K.BALASUNDHARAM, ADVOCATE IN SR No. 94237

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 94757

MJ

TE/SV-MMS/SAR-2 : 09/01/2018 : 3P/7C

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