



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.4968 of 2017

Abdullah
S/o Mohammed Hussian
President,
Integrated Manapparai Taluk,
Manavarai and Iravai Pasanatharkal
Farmer Association,
Register No.198 of 2013
1222 East Street,
Puthanatham Post,
Manapparai Taluk,
Trichy District.

: Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.Trichirappalli District
Co-operative Milk Producers' Union
rep. by its General Manager,
Kootapattu,
Pudukkottai Road,
Trichirappalli - 620 023.

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

: Respondents

Prayer : This Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the third respondent herein to allot a shop in the New Bus Stand at Manapparai Town, Trichy District to the petitioner's Farmer Sangam in pursuant to the 2nd respondent proceedings in Na.Ka.No.7783/Sales/16-17 dated 18.01.2017 and also to consider the petitioner's representation dated 07.02.2017.

For Petitioner :Mr.Joel Paul Antony

For Respondent :Mr.M.Alagathevan

Special Government Pleader
for R1 and R2

Mr.J.Lawrance for R3

O R D E R

This writ petition has been filed by the petitioner seeking for the issuance of a Writ of Mandamus directing the third respondent herein to allot a shop in the New Bus Stand at Manapparai Town, Trichy District to the petitioner's Farmer Sangam in pursuant to the 2nd respondent proceedings in Na.Ka.No.7783/Sales/16-17 dated 18.01.2017 and also to consider the petitioner's representation dated 07.02.2017.

2. According to the petitioner, the third respondent Municipality is constructing various shops in New Bus Stand at Manapparai Town, Trichy District and among the shops to be allotted, no Aavin shop is made available. Therefore, in order to cater to the needs of the general public and the passengers, the petitioner said to have approached the second respondent requesting him to allot one Aavin shop in the New Bus Stand. In this connection, the petitioner also submitted a representation to the first respondent/District Collector on 30.12.2016, which was also forwarded to the second respondent for action at his end. Thereafter, the second respondent, by his proceedings, dated 18.01.2017, recommended for allotment of shop in a new Bus Stand at Manapparai Town for the petitioner sangam. In spite of recommendation of the second respondent for allotment of shop for the purpose of vending of Aavin milk and milk products, no action was forthcoming from the third respondent till date. Therefore, the petitioner has approached this Court for the relief as stated supra.

3. The learned counsel for the petitioner would submit that the petitioner had also submitted a representation on 07.02.2017 to the third respondent. Further, he would submit that it would be suffice if the representation of the petitioner is disposed of, by the 3rd respondent, by considering the instruction/recommendation of the second respondent, dated 18.01.2017, on merits and in accordance with law within the time stipulated by this Court.

4. Heard both sides.

5. In view of the above, without going into the merits of the claim made by the petitioner in this Writ Petition, the third respondent is directed to consider the representation of the petitioner dated 07.02.2017 by considering the instruction/recommendation of the second respondent, dated 18.01.2017 and pass suitable orders on the claim of the petitioner within a period of four weeks from the date of receipt of a copy of the representation.



6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy District,
Trichy.
2. The Commissioner,
Manapparai Municipality,
Manapparai,
Trichy District.
3. The General Manager,
Trichirappalli District
Co-operative Milk Producers' Union
Kootapattu,
Pudukkottai Road,
Trichirappalli - 620 023.

+1CC to Mr. A. Joel Paul Antony, Advocate 52176
+1CC to Mr. J. Lawrance, Advocate 52672

W.P. (MD) No. 4968 of 2017
13.04.2017

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KK/RSK/SAR2/27.04.2017/3P/6C