

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.20039 of 2017

ORDER:

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of Mandamus declaring the action of respondents in closing the toilet complex situated at Jubilee Bus Station, built and operated by the petitioner, as illegal and arbitrary.

3. Learned counsel for the petitioner would submit that the petitioner entered into an agreement with the respondents on 29.08.2008, which is valid for a period of 5 years. Thereafter, the petitioner had to renew the application every year for continuing the maintenance of the toilet complex. The averments in the report does not anywhere disclose that after the expiry of five years, the petitioner made an application for renewal of the contract. While things stood thus, on 03.02.2017, the respondents locked the toilet complex, without issuing any prior notice to the petitioner. Challenging the action of the respondents, the present writ petition came to be filed.

4. Learned Standing Counsel for respondents would submit that though the petitioner was maintaining the toilet complex, but, in the month of February, 2017, itself the said premises was locked and the same is now kept under maintenance of the Contonment Board. At this stage, learned counsel for the petitioner submits that he made a representation on 09.03.2017, to the respondents, seeking to take appropriate steps for maintenance of public toilet complex, which is still pending consideration.

5. Having regard to the above, the writ petition is disposed of directing the respondents to consider the representation dated 09.03.2017, made by the petitioner, in accordance with law, as early as possible, preferably within a period of three weeks from the date of receipt of a copy of the order, if the said representation is still pending consideration. No costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

20.06.2017
vhh

