

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.36388 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed assailing the action of the respondents in entertaining the request of the 5th respondent for establishment of another A4 shop by means of shifting from its present place to a place, which is adjacent to the place of A4 shop of the petitioner.

At the hearing, learned counsel for the petitioner submits that having come to know of the said request of the 5th respondent, which is under consideration with the 2nd respondent, a representation, dated 26.10.2017 was submitted to the 2nd respondent to consider his objections. He would submit that if a direction is given to the 2nd respondent to consider his objection in accordance with the procedure established by law, the grievance of the petitioner would be redressed.

Learned Government Pleader appearing for the respondents 2 to 4 endorses the said submission.

In the result, the Writ Petition is disposed of directing the 2nd respondent to consider the objections in the representation, dated 26.10.2017, of the petitioner before taking a decision independently in his discretion and in accordance with the procedure established by law on the issue of the request of the 5th respondent for shifting his shop.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M. Seetharama Murti, J

02.11.2017

Note: Issue CC in two days

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Dated : 02-11-2017