

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.3565 of 2018

N.Palanisamy

.. Petitioner

Versus

1.The Divisional Engineer,
Highways Department,
1371 A/1, Highways Colony,
Gopalapuram,Coimbatore - 641 018.

2.The Commissioner of Police,
Tiruppur.

3.The Commissioner,
Corporation of Tiruppur,
Kumaran Road,
Tiruppur.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents herein to consider the representation dated 17.1.2018 sent by the petitioner within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader, for R1 & R2

Mr.S.Silambanan, Senior Counsel
for Ms.P.Shanthi, Standing Counsel for R3

O R D E R

Mr.V.Shanmugasundar, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.S.Silambanan, learned Senior Counsel appearing for Ms.P.Shanthi, learned Standing Counsel takes notice for the third respondent. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this writ petition is for issuance of a writ of mandamus, directing the respondents to consider the representation of the petitioner dated 17.1.2018.

3. The case of the petitioner is that he is the absolute owner of the land in S.F.Nos.438/2A, 438/2B, 438/2C, 440/1B & 441/2A and 18A2, Gandhi Road, Avinashi Road, Tiruppur. It is further stated that some people put up fish and chicken stalls in front of the show room of his neighbour one R.Balashanmugam. So, the aforesaid individual filed a petition in W.P.No.28196 of 2017, seeking for mandamus and pursuant to the order passed by this Court in W.P.No.28196 of 2017, fish and chicken stalls were removed by the authorities.

4. The learned counsel for the petitioner submitted that after some time, the stalls have been put up in front of the premises of the petitioner and hence he sent a representation to the respondents on 17.1.2018. Since no action was taken, the present writ petition.

5. The learned counsel for the petitioner further submitted that the first respondent is the concerned authority to take action on the representation of the petitioner and if a direction is issued, it would be suffice.

6. The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the first respondent is ready to take appropriate action on the representation of the petitioner dated 17.1.2018.

7. The learned Senior Counsel appearing for the third respondent submitted that, even in the earlier writ petition, a direction was issued to the Highways Department to take action.

8. In the light of the above facts and the submissions of the learned counsels, this Court without going into the merits of the case, directs the first respondent to take necessary action on the representation of the petitioner dated 17.1.2018, within a period of eight weeks from the date of receipt of a copy of this order, after providing an opportunity to all the necessary parties.

9.With the above direction, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Divisional Engineer,
Highways Department,
1371 A/1, Highways Colony,
Gopalapuram,
Coimbatore - 641 018.

2.The Commissioner of Police,
Tiruppur.

3.The Commissioner,
Corporation of Tiruppur,
Kumaran Road,
Tiruppur.

+1 CC to Mr.K.Govi Ganesan, Advocate Sr.No.12945

+1 CC to Government Pleader, High Court, Chennai Sr.No.14540

सत्यमेव जयते

W.P.No.3565 of 2018

NM(CO)
KP(07/03/2018)

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