

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2017

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.2126 and 2127 of 2018

Palanigounder

... Petitioner in
both W.Ps.

Versus

1. The District Collector,
Salem.
2. The Assistant Director (Panchayats),
Salem.
3. The Panchayat Union Commissioner,
Tharamangalam Panchayat Union,
Pappampadi Panchayat,
Omalur Taluk, Salem District.
4. The Special Officer,
Pappampadi Panchayat,
Tharamangalam Panchayat Union,
Omalur Taluk, Salem District.

... Respondents in
both W.Ps.

PRAYER in W.P.2126/2018: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 3rd respondent to extend the licence of collecting toll/fees of weekly market (Weekly Santhai) held on every Sundays at Pappampadi Panchayat, Tharamangalam Panchayat Union, Omalur Taluk, Salem District for the further period of 3 years from 01.04.2018 to 31.03.2021 to the petitioner by considering the representation made by the petitioner on 08.01.2018 within the specific period of time fixed by this Court.

PRAYER in W.P.2127/2018: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 3rd respondent to extend the licence of collecting toll/fees of daily market, Sheep cutting tank at Pappampadi Panchayat, Tharamangalam Panchayat Union, Omalur

Taluk, Salem District for the further period of 3 years from 01.04.2018 to 31.03.2021 to the petitioner by considering the representation made by the petitioner on 08.01.2018 within the specific period of time fixed by this Court.

For Petitioner : Mr.T.Ganesan
in both W.Ps.
For Respondents : Mr.R.Govindasamy,
in both W.Ps. Special Government Pleader for R1 & R2
Mr.D.Raghu,
Government Advocate for R3
Ms.A.Madhumathi,
Additional Government Pleader for R4

COMMON ORDER

In W.P.No.2126 of 2018, the petitioner seeks for a mandamus directing the third respondent to extend the licence of collecting toll/fees of weekly market (Weekly Santhai) held on every Sundays at Pappampadi Panchayat, Tharamangalam Panchayat Union, Omalur Taluk, Salem District for a further period of 3 years from 01.04.2018 to 31.03.2021 to the petitioner by considering his representation dated 08.01.2018 within the specific period of time fixed by this Court.

2. In W.P.No.2127 of 2018, the petitioner seeks for a mandamus directing the third respondent to extend the licence of collecting toll/fees of daily market, Sheep cutting tank at Pappampadi Panchayat, Tharamangalam Panchayat Union, Omalur Taluk, Salem District for a further period of 3 years from 01.04.2018 to 31.03.2021 to the petitioner by considering his representation dated 08.01.2018 within the specific period of time fixed by this Court.

3. In both these writ petitions, the petitioner, who is one and the same, is seeking for extension of license period based on G.O.Ms.No.92, dated 03.07.2007 issued by the Municipal Administration and Water Supply Department. According to the petitioner, the petitioner is entitled to get one more extension for a period of three years as per the above said Government Order. Ventilating such request, the petitioner made representations on 08.01.2018, seeking for extension of license period and when the said representations have not been considered, the present writ petitions are filed before this Court.

4.This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the third respondent to consider and pass orders. Therefore, both the writ petitions are disposed of, only with a direction to the third respondent to consider the claim of the petitioner

and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the third respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

vri

To

1. The District Collector,
Salem.
2. The Assistant Director (Panchayats),
Salem.
3. The Panchayat Union Commissioner,
Tharamangalam Panchayat Union,
Pappampadi Panchayat,
Omalur Taluk, Salem District.
4. The Special Officer,
Pappampadi Panchayat,
Tharamangalam Panchayat Union,
Omalur Taluk, Salem District.

+ 2 cc to Mr.T.Ganesan Advocate, SR.7626,7624

+ 1 cc to The Govt.Pleader, SR.79991

W.P.Nos.2126 and 2127 of 2018

NR 16/02/2018

WEB COPY