

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.34247 of 2017

P.Krishnan

..Petitioner

Vs

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Commissioner,
Commissionerate to Municipal Administration,
Ezhilagam, Chennai - 600 005.

3.The Commissioner,
Dharmapuri Town Panchayat,
Dharmapuri.

(R3 amended as per order of this Court
dated 07.3.2018 in W.M.P.No.6378 of 2018
in W.P.No.34247 of 2017)

4.The Deputy Manager,
Dharmapuri District Milk Producer's Union,
Dharmapuri.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the 2nd respondent to provide a space at Town Bus Stand, Dharmapuri, to run a Milk Parlour of the 4th respondent by the petitioner.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents: Mr.N.Inbanathan
Additional Government Pleader
for R1 & R2
Mrs.A.Sri Jayanthi, for R3
No appearance for R4

O R D E R

The petitioner has come forward with the present writ petition seeking for a mandamus, to direct the second respondent to provide a space at Town Bus Stand, Dharmapuri, to run a Milk Parlour of the fourth respondent.

2. Heard Mr.S.T.Varadarajulu, learned counsel for the petitioner, Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents 1 and 2, Mrs. A.Sri Jayanthi, learned counsel appearing for the third respondent and none appeared for the fourth respondent and perused the materials available on record.

3.The case of the prosecution is that he was arrested by the police on 24.11.2002 for alleged involvement in Naxalite movements and he was released only on 12.2.2007. The petitioner would further state that he is living in a poor condition and he finds it difficult to meet both the ends. Hence, he gave a representation to the first respondent on 10.11.2014, to give permission to have a Milk Parlour at Dharmapuri Bus Stand and also sent representations with similar relief. Since, no action was taken, the present writ petition.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the first respondent to consider the representation of the petitioner.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the representation of the petitioner would be considered in accordance with law.

6. In the light of the above submissions made by the learned counsels on either side, this Court, without going into the merits of the case, directs the petitioner to give fresh representation to the first respondent, by enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the first respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of personal hearing to all necessary parties.

7. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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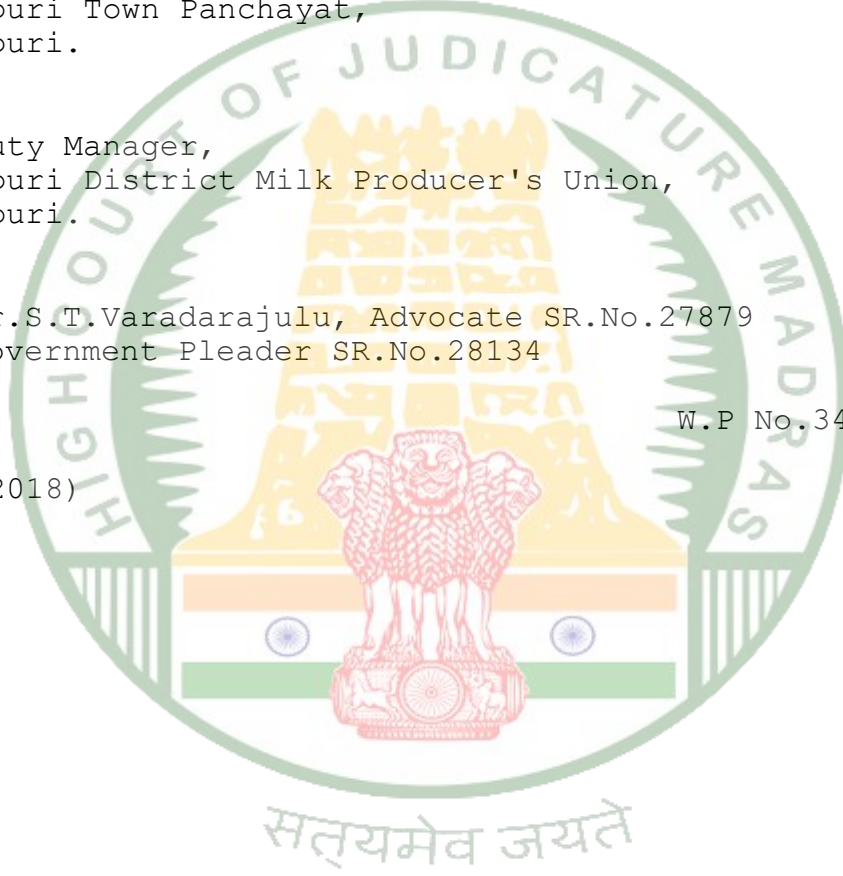
To

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Commissioner,
Commissionerate to Municipal Administration,
Ezhilagam, Chennai - 600 005.
- 3.The Commissioner,
Dharmapuri Town Panchayat,
Dharmapuri.
- 4.The Deputy Manager,
Dharmapuri District Milk Producer's Union,
Dharmapuri.

+1cc to Mr.S.T.Varadarajulu, Advocate SR.No.27879
+1cc to Government Pleader SR.No.28134

W.P No.34247 of 2017

SG(CO)
GN(09/05/2018)



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