

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.10.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. 21643 of 2018

A.Settu

... Petitioner

-Versus-

1. The Regional Director,
Municipal Administration,
Salem Region,
Salem-636 001.

2. The Commissioner,
Edappadi Municipality,
Edappadi,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to forthwith fix the name plate of the petitioner's grandfather on the building newly put up at the Edappadi Bus Stand, Salem District by considering and passing orders on the representation of the petitioner dated 18.04.2018.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mrs.Ramya Revathy
Government Pleader for R1

: Mrs.K.Bhuvaneswari,
Addl.Government Pleader for R2

ORDER

This writ petition has been filed seeking for a direction to the 2nd respondent to name the petitioner's grandfather for the building recently constructed in the Edappadi Bus stand, Salem District.

2. According to the petitioner, his grandfather one Govinda Gounder was the Chairman of the erstwhile Edappadi Panchayat Union. In recognition of his services, a resolution was passed by the erstwhile Panchayat seeking the permission of the Government of Tamil Nadu to name a Commercial Complex built at the Edappadi Bus Stand. Based on the resolution, the Government also passed a Government Order, in G.O.Ms.No.932, and granted

permission to the then Edappadi Town Panchayat to name the commercial complex building in the name of Chairman R.Govinda Gounder. Subsequently, in the year 1991, the 2nd respondent has demolished the old building and put up a new commercial complex in the said place. At that time, the 2nd respondent has assured that the name plate of Govinda Gounder would be replaced in the new building. But, after completion of commercial complex, now, the 3rd respondent is refusing to put up the name board of Chairman Govinda Gounder on the new building. The petitioner has sent a representation to the 2nd respondent, but no order has been passed. Hence, the petitioner has filed the present Writ Petition.

3. The 2nd respondent has filed the counter affidavit stating that at the northern side of the bus stand, the building was constructed 50 years ago, since the building was in a dilapidated condition, it was demolished. On the western side of the bus stand, there is another building which is 35 years old, and that building has not been named so far. Apart from that, all the three buildings situated in the centre part of the bus stand situated on the western side nearby the public toilet, as well as northern side nearby the main road, which was named as "Chairman K.Govinda Gounder Perangadi". So far as the building situated in the northern side nearby the main road is concerned, the part of the wall has been damaged and the renovation work is going on and after reconstruction of the wall, the name of "Chairman K.Govinda Gounder Perangadi" will be affixed. So far as the southern part of the bus stand is concerned, on account of 50th Golden Jubilee of Edappadi Municipality, 18 new shops came to be constructed under the IGFF 2014-2015 scheme and the building was also opened on 27.04.2018. Since the new building was constructed under the specific scheme, there is no possibility to name the building as "Chairman K.Govinda Gounder Perangadi".

4. I have considered the submissions and perused the relevant records carefully.

5. Even though the original building was named as Chairman K.Govinda Gounder, as per the order passed by the Government dated 31.10.1990, the part of that building has been demolished and a new building was constructed under the new scheme. So far as the remaining portion of the building is concerned, already the name of K.Govinda Gounder has been retained. Now, it is the case of the respondent that the building was demolished and a new building has been put up under the new scheme. Since it is a new building, it is not possible to put up the name of Chairman K.Govinda Gounder.

6. The learned counsel appearing for the 1st respondent submitted that even though the building has been named as

Govinda Gounder, based on the order passed by the Government dated 31.10.1990, so far, that order has not been revoked by the Government. In the said circumstances, he has made a recommendation to the 2nd respondent and the same is pending. Hence, the 2nd respondent may be directed to consider the same.

7. Considering the above limited prayer sought by the petitioner, without going into the merits of the case and without expressing any opinion, the 2nd respondent is directed to consider the petitioner's representation dated 18.04.2018 and pass suitable order on merits and in accordance with law within a period of twelve weeks from the date of receipt of the copy of this order.

8. In the result, this writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Regional Director,
Municipal Administration,
Salem Region, Salem-636 001.
2. The Commissioner,
Edappadi Municipality,
Edappadi, Salem District.

+1cc to the Government Pleader, S.R.No.70601

W.P. 21643 of 2018

SR(CO)

rrs 11/12/2018

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