

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.5467 of 2015  
M.P.Nos.1 & 2 of 2015

V.Gajalakshmi

..Petitioner

Vs

1. The Director,  
Social Welfare Department,  
Government of Puducherry,  
Puducherry.
2. The District Collector,  
Department of Revenue and Disaster Management,  
Puducherry.
3. The Tahsildar,  
Bahour Taluk, Bahour.
4. The Commissioner,  
Bahour Commune Panchayat,  
Bahour.
5. The Secretary,  
Pondicherry Market Committee,  
Agricultural Complex,  
Thattanchavady, Puducherry.
6. The Assistant Engineer,  
Electricity Department,  
Bahour Sub Station,  
Kattu Kuppam, Bahour.

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the entire records pertaining to the order passed by the Commissioner, Bahour Commune Panchayat, the 4th respondent herein vide his proceedings No.8810/2014/Pa Co Pa / Urimam A1 / 2256, dated 03.10.2014 and quash the same as illegal, arbitray, unreasonable being violative of rules and principles of natural Justice and thereby direct the 4th respondent to issue license to the petitioner to run the petty Bunk shop at R.S.No.48/2 of 81, Manapattu Revenue Village, near bus stand at Kannia Koil, Puducherry.

For Petitioner : Mr.A.R.Suresh  
For Respondents : Mr.J.Kumaran, G.A.(P),  
for RR1 to 4 & 6  
Mr.K.S.Ilangovan, for R5

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate (Pondicherry) for the respondents 1 to 4 & 6 and the learned Standing Counsel for the 5th respondent and perused the materials available on record.

2. The case of the petitioner is that she is a physically challenged lady and she is running business based on the licence issued by the 4th respondent and the licence was cancelled observing that the place in which the petitioner was running business belongs to the Marketing Committee.

3. According to the learned counsel for the petitioner, the Revenue Records shows that the land in dispute belonging to the Government and after arguing at length, it is fairly submitted that the shop was already demolished.

4. The learned Government Advocate (Pondicherry) for the respondents submitted that the period of licence ended in March 2015 and hence, the prayer sought for in this writ petition has become infructuous.

5. In the light of the above submissions, I find no merit in this writ petition. Accordingly, the writ petition is dismissed. However, in future if the petitioner approaches the respondents seeking licence to run the business in some other place, that may be considered in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

pvs

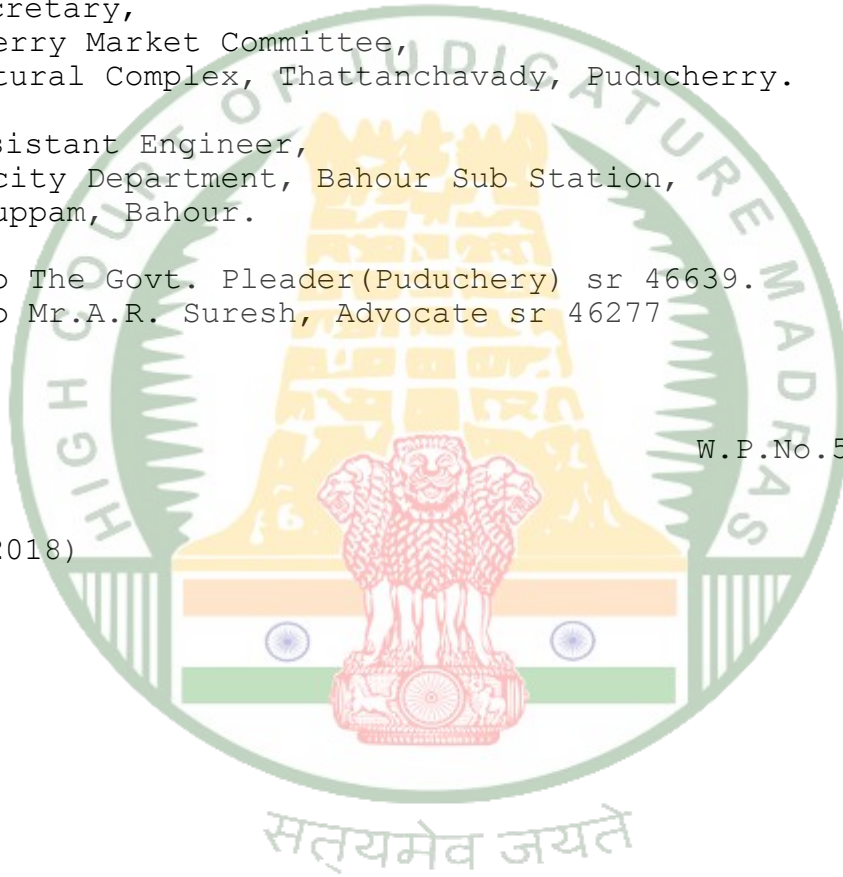
To

1.The Director,  
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  6. The Assistant Engineer,  
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Kattu Kuppam, Bahour.
- +1 CC to The Govt. Pleader(Puduchery) sr 46639.  
+1 CC to Mr.A.R. Suresh, Advocate sr 46277

W.P.No.5467 of 2015

SP(23/07/2018)



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