

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.18764 of 2018

R.Maheswari

...Petitioner

Vs.

The Commissioner,
Kancheepuram Municipality,
Kancheepuram.

...Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 09.07.2018.

For Petitioner : Mr.R.Thiagarajan
For Respondent : Mr.G.B.Rajesh, Standing Counsel

ORDER

Mr.G.B.Ganesh, learned Standing Counsel takes notice for the respondent. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final disposal.

2. The petitioner has come forward with this writ petition for issuance of a writ of mandamus, directing the respondent to consider the petitioner's representation dated 09.07.2018.

3. According to the petitioner, she participated in the public auction, pursuant to the notification dated 23.01.2015, for running new toilet and she is the successful bidder for the period from 01.04.2015 to 31.03.2018. However, since the lease was restricted for one year, she filed W.P.No.11431 of 2016. In that writ petition, the respondent-Municipality had taken a decision to give free toilet facility and the Municipality would maintain the toilet using third parties. This Court while disposing of the writ petition, directed the respondent to consider the representation of the petitioner and also permitted the petitioner to run the facility. Accordingly, the petitioner is maintaining the toilet.

4. The petitioner would state that the respondent decided to demolish the old toilet and to construct a new toilet. Hence, the petitioner gave a representation dated 09.07.2018 seeking permission to run the newly constructing toilet. Since no order was passed, the present writ petition.

5. The learned counsel for the petitioner submitted that the respondent may be directed to consider the representation of the petitioner dated 09.07.2018.

6. The learned Standing Counsel for the respondent submitted that the lease period of the petitioner is already over and the new toilet is being constructed from the funds provided by the Central Government and the construction is not yet over. The respondents have not taken any decision so far, anyhow, the representation of the petitioner would be considered in accordance with law.

7. Considering the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 09.07.2018 and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-VII)

// True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

+1cc to Mr.G.B.RAJESH, Advocate SR.No.49238

+1cc to Mr.R.THIAGARAJAN, Advocate SR.No.49238

KJI (CO)

SMI/10.08.2018

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