

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2019

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI, J.

W.P.Nos.23103 of 2012

C. M. Murugesen

...Petitioner

Vs

The Commissioner,
City Municipal Corporation,
Coimbatore.

... Respondent

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the proceedings in Resolution No.157 dated 29.08.2013, on the file of the respondent and to quash the same as illegal, incompetent and without jurisdiction and to further direct the respondent to renew the license granted to this petitioner by the respondent in compliance with the City Municipal Corporation Act 1981.

Prayer Amended as per order dated 22.04.2014 by SRJ in M.P.No.1 of 2014 in W.P.No.23103 of 2012.

For Petitioner : Mr. V. Raghavachari
For Respondent : Mrs. K. Bhuvaneswari, AGP

ORDER

Writ Petition is filed to call for the records of the proceedings in Resolution No.157 dated 29.08.2013, on the file of the respondent and to quash the same as illegal, incompetent and without jurisdiction and to further direct the respondent to renew the license granted to this petitioner by the respondent in compliance with the City Municipal Corporation Act 1981.

2. The Learned Counsel for the petitioner submitted that the respondent Corporation has been engaging the petitioner as its agency for carrying out the plumbing work in the Coimbatore Corporation. However, the respondent subsequently discontinued the petitioner on the ground of G.O.Ms.No.1 (Nilai) No. 287 of 1996 dated 5.11.1996 fixing the age criteria for plumbing work upto 60 years. Since the petitioner has crossed the age of 60 years, he is not entitled to get the license as a plumber in the Coimbatore Corporation, based on the passing of the Resolution No.157, dated 29.08.2013 by which the age limit for doing the plumbing works in the Corporation was fixed between 45 and 60, against which the petitioner filed the present Writ Petition before this Court.

3. Learned counsel for the Coimbatore Corporation would submit that while the Writ Petition was pending, the Corporation had sent a letter on 13.06.2018 to the petitioner and similarly placed persons calling upon them to submit before the Corporation certain documents along with the medical fitness certificate, in order to provide 3 more years of contract, beyond the age of 60 years. However till date the petitioner has not chosen to submit those documents before the authority enabling them to take steps for granting license to the petitioner.

4. In view of the above said letter, the petitioner is directed to appear before the Respondent Corporation with required documents and on such appearance the respondent shall pass appropriate orders in accordance with law. With the above direction, this Writ Petition is disposed of.

सत्यमेव जयते

25.06.2019

Index:Yes / No
Internet: Yes / No
Speaking / Non-Speaking order
mrn

To,
The Commissioner,
City Municipal Corporation,

Coimbatore.

M.DHANDAPANI, J.,

mrn



W.P.Nos.23103 of 2012

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