



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.15215 of 2019

K.Suganthi

... Petitioner

-Vs-

1.Virudhunagar District Co-operative
Milk Producers Union Ltd.,
rep., by its General Manager,
Srivilliputtur, Madurai Road,
Menakshpuram P.O.,
Srivilliputtur-626 125.
Virudhunagar District.

2.Sattur Municipality,
rep., by its Commissioner,
Sattur, Virudhunagar District.

... Respondents

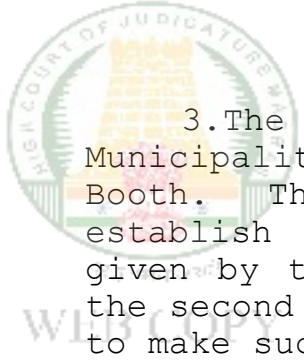
Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to permit the petitioner to put up the Milk Booth at the Eastern Portion of Sattur Municipal Bus Stand, Sattur in the light of the proceedings of the first respondent in Na.Ka.No.1141/MKg-Agent/2015 dated 20.07.2015, by considering the representation of the petitioner dated 19.02.2019.

For Petitioner : Mr.K.K.Senthil
For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to permit the petitioner to put up the Milk Booth at the Eastern Portion of Sattur Municipal Bus Stand, Sattur in the light of the proceedings of the first respondent in Na.Ka.No.1141/MKg-Agent/2015 dated 20.07.2015, by considering the representation of the petitioner, dated 19.02.2019.

2.Heard Mr.K.K.Senthil, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondents.



3.The petitioner has already been allotted a place in the Municipality bus-stand of the second respondent to locate the Milk Booth. Though such allotment has already been given in order to establish Milk Booth, necessary permission once again has to be given by the second respondent and when the petitioner approached the second respondent, the second respondent directed the petitioner to make such application through the first respondent. Accordingly, the petitioner has made an application on 19.02.2019 to the first respondent. The said representation has to be considered and forwarded to the second respondent, with recommendation, based on which, the second respondent has to permit the petitioner to establish the Milk Booth in the allotted place. Therefore, the learned counsel for the petitioner wants to consider the petitioner's representation dated 19.02.2019 by the first respondent and the recommendatory report to be forwarded to the second respondent, within a time frame.

4.Heard the learned Government Advocate appearing for the respondents, who would submit that the representation of the petitioner dated 19.02.2019 would be considered by the first respondent, on merits and recommendatory report would be forwarded to the second respondent, within a time frame.

5.Considering the limited scope of the prayer sought for in this writ petition, with the consent of both parties, this Court is inclined to dispose of this writ petition at the admission stage itself, with the following directions:-

that the first respondent is hereby directed to consider the representation of the petitioner dated 19.02.2019 and pass orders by sending a recommendatory report to the second respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, let the second respondent pass necessary order by giving permission to the petitioner to establish the Milk Booth in the place already claimed to have been allotted in favour of the petitioner by the second respondent Municipality, within a period of two weeks, thereafter.

No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1. The General Manager,
Virudhunagar District Co-operative
Milk Producers Union Ltd.,
Srivilliputtur, Madurai Road,
Menakshpuram P.O.,
Srivilliputtur-626 125.
Virudhunagar District.

2. The Commissioner,
Sattur Municipality,
Sattur, Virudhunagar District.

+1 CC to SPL GP SR-73967.

+1 CC to Mr.K.K.SENTHIL, Advocate SR-74037.

W.P. (MD) No.15215 of 2019

CS (27.08.2019) 3P 5C