



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.3028 of 2019

K.S.Muthu

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation, Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 29.01.2019 within a stipulated time.

For Petitioner	:	Mr.G.Karuppasamy Pandiyan
For Respondents	:	Mr.M.Rajarajan, Government Advocate for R1 Mr.T.S.Mohammed Mohideen for R2

ORDER

Heard the learned counsel on either side.

2.The petitioner is a physically challenged individual. He has been permitted to run a petty shop vide allotment order dated 19.06.2012 by the Highways Department. The petitioner apprehends that his business will be affected if the second respondent permits erection and installation of petition mentioned shops in the vicinity.

3.The learned standing counsel appearing for the respondents states that the corporation has a proposal to accommodate the licensees who have been evicted from other parts of the Madurai city. This Court cannot restrain the corporation from doing so. But then, the access to the writ petitioner's shop by the customers cannot be prevented. But the petitioner cannot prevent the Madurai corporation from issuing orders permitting the licensees to set up the petty shops.



4. With this observation, this writ petition is disposed of accordingly. No costs.

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Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner,
Madurai Corporation, Madurai.

+1 CC to M/s. T.S. MOHAMED MOHIDHEEN, Advocate SR-49643

+1 CC to The Special Government Pleader SR-49760

+1 CC to M/s. G. KARUPPASAMY PANDIAN, Advocate SR-49832

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SP/PK/03.04.2019 : 2P/6C