



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.4103 of 2019

and

W.M.P. (MD) No.3202 of 2019

The Employees Provident Fund Organization,
Rep. by its Authorized Person,
Veeresh,
Assistant Provident Commissioner,
Bhuvishaya Nidhi Bhawan,
NGO-B, Colony,
Perumalpuram Post,
Tirunelveli - 627 007.

... Petitioner

Vs

1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

2.The Assistant Commissioner,
Tirunelveli City Municipal Corporation,
Melapalayam Zone,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to construct the ramp in front of the petitioner's organization namely., Employees Provident Fund Organization within a time frame as fixed by this Court on the basis of the representation of the petitioner dated 08.02.2019.

For Petitioner : Mr.N.Satheeskumar

For Respondents : Mr.Aayiram K.Selvakumar

ORDER

Tirunelveli office of the writ petitioner's organization was having a ramp connecting the office premises of the main road. The same was demolished recently by the respondent corporation for forming a storm water drainage. The petitioner wants the respondents to rebuild the ramp. Since the respondents declined to comply with the said request, this writ petition has been filed.

2.When the matter was taken up for hearing, the learned standing counsel appearing for the respondents admitted that the storm water drainage was recently formed and that they will only form a covering over the drainage and that they would not be in a position to build the ramp.



3. I am of the view that this is a matter that should be amicably resolved between them. The writ petitioner is a Central Government organization, the respondent is a local body. It is also State within the meaning of Article 12 of the Constitution of India. Therefore, the respondents are directed to cover the open portion in front of the writ petitioner's office. It is for the writ petitioner to build the ramp thereon later. The respondent shall complete the work of covering the storm water drainage in front of the petitioner's office within a period of four weeks from the date of receipt of a copy of this order.

4. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

/TRUE COPY/

Sub Assistant Registrar (CS)

To:

1. The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

2. The Assistant Commissioner,
Tirunelveli City Municipal Corporation,
Melapalayam Zone,
Tirunelveli.

+1 CC to M/s. AAYIRAM K. SELVAKUMAR, Advocate (SR-61078[F] dated 15/04/2019)

+1 CC to M/s. N. SATHEESH KUMAR, Advocate (SR-60838[F] dated 12/04/2019)

W.P. (MD) No. 4103 of 2019

CS (KM) : 09/05/2019/2P/5C