

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.10800 of 2020
and
WMP No.13118 of 2020

Erode Bus Stand Merchants Association
rep. by its President
AS-2 New Bus Stand Complex
Erode- 638003.

...Petitioner

Vs.

The Commissioner
Erode Corporation
Erode.

...Respondent

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondent to forthwith forebear from demolishing the Bus Stand Complex at Erode or in any other manner interfere with the Petitioner's members subsisting rights in the shops morefully described to the WP.

For Petitioner : Mr.P.M.N.Bhagavath Krishnan

For Respondent : Mr.Raja Mathivanan,
Standing Counsel

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the respondent from demolishing the Bus Stand Complex at Erode, where the members belonging to the petitioner association have been given the licence to run various stalls.

2. The grievance of the petitioner association is that the members of the association have been granted licence in the Erode Bus Stand Complex to run tea stalls and other small eateries. Now steps are taken to demolish the entire Bus Stand Complex, even without issuing notice. The petitioner association had sent a representation on 19.06.2020 in this regard. The same was also not considered and therefore, the present Writ Petition has been filed before this Court seeking

for appropriate direction.

3. Mr.Raja Mathivanan, learned Standing Counsel appearing on behalf of the respondent Corporation submitted that the entire old Erode Bus Stand Complex is in a dilapidated condition and that an inspection was conducted and report was received on the stability of the existing complex. Thereafter, it was decided to modernize the existing Erode Bus Terminal, which is in furtherance of the steps being taken to bring about the Erode Smart City. The resolution was also passed on 23.06.2020. The learned counsel further submitted that the administrative sanction was sought for from the Commissioner of Municipal Administration and the sanction order was issued on 14.08.2020. The learned counsel also submitted that only after getting the sanction, the respondent will be able to carry forward with the modernization of the Erode Bus Terminal and before any steps are taken to proceed further with the work, notice will be issued to all the licensees, and no action will be taken without affording opportunity to the existing licensees.

4. In view of the specific stand taken by the respondent, the apprehension raised by petitioner association has been sufficiently answered. Therefore, the submissions made by the learned counsel appearing on behalf of the respondent Corporation is hereby recorded and this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Commissioner
Erode Corporation
Erode.

+1cc to Mr.Srinath Sridevan, Advocate in SR.27960
+1cc to Mr.M.Rajamathivanan, Advocate in SR.27978

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GJ (CO)
RV (10/09/2020)