

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.13196 of 2020

G. Sudhakar

...Petitioner

Vs.

1. The Commissioner,
Salem Corporation,
Salem District.
2. The Assistant Commissioner,
Sooramangalam Ward Office,
Municipal Corporation, Solampallam,
Salem District 636 005.
3. Mr. Sheikh Abdullah
President
Vegetable Merchants Association,
V Ramalingam Market, (Pal Market),
Shevapet, Salem 636 002.
4. Mr. Sureshkumar,
Secretary
Vegetable Merchants Association,
V.Ramalingam Market, (Pal Market)
Shevapet, Salem 636 002.
5. Mr. Anand, Deputy Secretary
Vegetable Merchants Association,
V.Ramalingam Market, (Pal Market)
Shevapet, Salem 636 002.
6. Mr.Ravi, Joint Secretary,
Vegetable Merchants Association,
V.Ramalingam Market, (Pal Market)
Shevapet, Salem 636 002.
7. Mr. Thangavel, President,
Tomato Merchants Association,
V.Ramalingam Market, (Pal Market)
Shevapet, Salem 636 002.

...Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to conduct an enquiry against the respondents 3 to 7 and to pass appropriate orders on the petitioner representation dated 24.08.2020 in the light of the resolution No.260 dated 29.12.2015 (clause 60) passed by the first respondent .

For Petitioner : Mr.A.M. Esakkiappan
For Respondents: Mr.S. Sathish
Standing counsel for R1 and R2

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the 1st respondent to conduct enquiry on the representation made by the petitioner on 24.08.2020 within the time frame fixed by this Court.

2. The case of the petitioner is that the 1st respondent invited tender for collection of fees in the daily market. The petitioner was the successful bidder and the tender was issued in his favour by the 2nd respondent by proceedings dated 31.3.2020. The petitioner is the license holder for the collection of the daily fee in the daily market.

3. The grievance of the petitioner is that the persons belonging to a particular Association are not paying the amount fixed based on some resolution passed by the Association. The 1st respondent is the authority who has to resolve this dispute. The petitioner made a representation to the 1st respondent on 24.08.2020 in this regard. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.A.M.Esakkiappan, learned counsel for petitioner and Mr. S. Sathish, learned Standing Counsel appearing for respondents 1 and 2.

5. Taking into consideration, the facts and circumstances of the case and also clause 60 of Resolution No.260, dated 29.12.2015, there shall be a direction to the 1st respondent to immediately consider the representation made by the petitioner on 24.08.2020 by issuing notice to the other interested parties and take a decision within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with all the other relevant documents and a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner,
Salem Corporation, Salem District.
2. The Assistant Commissioner,
Sooramangalam Ward Office,
Municipal Corporation, Solampallam,
Salem District 636 005.

+1cc to M/s.A.Esakkiappan, Advocate in SR.NO..31230

W.P.No.13196 of 2020

CP(CO)
RV(13/10/2020)



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