



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.No.8671 of 2021

K.C.Maheswaran

... Petitioner

Vs.

Corporation of Chennai,
represented by its Commissioner,
Chennai 600 003.

.. Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 01.09.2014.

For Petitioner : Mr. R.Vijayaraghaven

For Respondent : Mrs. P.T.Ramadevi,
Standing Counsel, Chennai Corporation.

O R D E R

The petitioner has come forward with this Writ Petition for the issue of Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 01.09.2014.

2.According to the petitioner, he was employed as 'Vettian' at Washermenpet-Moolakothalam Burial Ground from the year 1992. He applied to the respondent seeking licence to do the said work permanently. Finding no response on the said application, he filed W.P.No.47029 of 2003, which, by order dated 09.01.2003, was disposed of by this Court, directing the respondent to consider his representation dated 21.04.2002 on sympathetic ground and give suitable relief to the petitioner. Even thereafter, the respondent did not take any steps to consider the claim of the petitioner, which compelled him to make another representation dated 21.12.2012 and remainder dated 01.09.2014, which were also not considered. Hence, this writ petition.

3.Today, when the matter was taken up for hearing, learned counsel appearing for the respondent, filed an affidavit of the Regional Deputy Commissioner-North, Greater Chennai Corporation, stating that all the details of the petitioner, as submitted earlier, have been misplaced and the petitioner is required to submit a copy of the same. The contents of the said affidavit, for better appreciation, are extracted below:



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"2. I respectfully submit that the petitioner had applied to grant license for the said employment "Vettian" permanently. I further submit that based on the order of the Hon'ble Court in W.P.No.47029 of 2002 dated 09.01.2003, the petitioner gave representation dated 03.02.2003, 05.06.2003 and 01.09.2014. The representation and the documents provided by the petitioner has been misplaced and not found in the Respondent's office.

3. I respectfully submit that to direct the petitioner to provide all the fresh copies of the documents and representation to the respondent and will consider the representation and pass suitable orders."

4. In reply, the learned counsel for the petitioner has also agreed to submit the required documents again to the respondent.

5. In view of the above, the petitioner is directed to submit a fresh representation to the respondent along with all the required documents within a period of two weeks from the date of receipt of a copy of this order. On such submission, the respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks thereafter.

6. The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To
The Commissioner,
Corporation of Chennai,
Chennai 600 003.

+1cc to M/s.P.T.Ramadevi, Advocate SR.No. 26701
+1 cc to Government Pleader Sr.No. 26556

W.P.No.8671 of 2021

UM(CO)
B.VC(26.07.2021)