

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2021

CORAM

THE HON'BLE MR.JUSTICE R. MAHADEVAN

Writ Petition No.10085 of 2021

Kalaiaarasan

... Petitioner

-Vs-

1. The Commissioner of Municipal
Administration,
Ezhilagam-Annex Building,
Chepauk,
Chennai-5.

2. The Regional Director of Municipal
Administration,
Municipal Administration,
Sathuvachari, Vellore-9.

3. The Commissioner,
Arakkonam Municipality,
Arakkonam, Ranipet District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the 3rd respondent to bring the shop No.206719 of Arakkonam New Bus Stand Complex for public auction which is still remained closed for the past several years, on the basis of petitioner's representation dated 22.03.2021.

For Petitioner : Mr. G. Jeremiah

For Respondents : Mr. J. Ramesh, Addl.
Govt. Pleader
for R1 to R3

O R D E R

The prayer made in this writ petition is to issue a Mandamus directing the 3rd respondent to bring the shop No.206719 of Arakkonam New Bus Stand Complex for public auction, based on the petitioner's representation dated 22.03.2021.

2. It is the case of the petitioner that the 3rd respondent constructed several shops in the new bus stand adjoining the Arakkonam - Sholinghur Road and let out the same to the persons to vend various items, through public auction.

Accordingly, shop no.206719 was leased out to one Mohammed Kutty, who established a hotel business to meet the requirement of the travelling public and subsequently, died in the year 2014, due to which, the said hotel remained closed. According to the petitioner, except the said hotel, there is no other hotel/restaurant in the vicinity and the new bus stand is located on the outskirts of the town and due to non-functioning of the said hotel, the public are subjected to inconvenience. Stating so, he made a representation dated 22.03.2021 to the respondents to bring the said shop for public auction. Finding no response on the same, the petitioner has come up with this writ petition for the aforesaid relief.

3. Heard Mr.G.Jeremiah, learned counsel appearing for the petitioner and Mr.J.Ramesh, learned Additional Government Pleader appearing for the respondents.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, without going into the merits of the case, the first respondent is directed to consider the petitioner's representation dated 22.03.2021 and pass appropriate orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

msr

To

1. The Commissioner of Municipal Administration,
Ezhilagam-Annex Building,
Chepauk, Chennai-5.

2. The Regional Director of Municipal Administration,
Sathuvachari, Vellore-9.

3. The Commissioner,
Arakkonam Municipality,
Arakkonam, Ranipet District.

+1cc to Government Pleader SR.No.24690

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RK (CO)

<https://hcservices.courts.gov.in/hcservices/>
GM (07/07/2021)