

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.04.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 10985 of 2021

Uthangarai Bus Stand Shops Traders
Welfare Association

Represented by its Secretary Mr. P.Rajini Shankar
NREP Shop, No.2, Bus Stand, Uthangarai
Pin Code - 635 207, Krishnagiri District. ...Petitioner

Vs.

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai - 600 009.
2. The District Collector
Krishnagiri District
Krishnagiri.
3. The Assistant Director
Town Panchayat
Dharmapuri and Krishnagiri.
4. The Executive Officer
Uthangarai Town Panchayat
Uthangarai
Krishnagiri District. ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents to dispose of the representations dated 29.03.2021 and 10.04.2021 given by the Petitioner Association, in consonance with the G.O.(D) No. 298 MA and WS (MA.IV) Department dated 02.09.2020 issued by the First Respondent within the time fixed by this Court.

For Petitioner : Mr. D.Kamachi

For Respondents: Mr. P.Chinnadurai (For R1 to R4)
Additional Government Pleader

O R D E R

Mr.P.Chinnadurai, learned Additional Government Pleader, accepts notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2.This Writ Petition has been filed for a direction to the Respondents to dispose of the representations dated 29.03.2021 and 10.04.2021 given by the Petitioner Association, in consonance with G.O.(D) No. 298 MA and WS (MA.IV) Department, dated 02.09.2020 issued by the First Respondent, within a time frame to be stipulated by this Court.

3.Learned Counsel for the Petitioner submitted that the members of the petitioner Association are small vendors carrying on business in and around new bus stand Uthangarai and they were restrained from doing the business during the lock down period from 24.03.2020 to 07.09.2020 announced by the Government on account of the pandemic Covid-19. Though the first respondent vide G.O(D)No.298 MA and WS(MA.IV) Department, dated 02.09.2020, waived the payment of rent for the period of two months i.e., from 1.4.2020 to 31.05.2020, they have not taken into consideration the entire lock down period i.e., from 24.03.2020 to 07.09.2020 nearly for 5 ½ months. Hence, pointing out the financial difficulties faced by the members of the Petitioner Association, due to complete lock down, they made representation dated 29.03.2021 to the respondents 2 to 4 and representation dated 10.04.2021, to the first respondent requesting to waive the payment of shop rents for the entire period of lock down. Since no action was taken on the same, the petitioner has come up with this writ petition for the aforesaid relief.

4.Heard both sides and perused the documents enclosed in the typed set of papers.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the Learned Counsel on either side, this Court directs the Respondents to consider the representations dated 29.03.2021 and 10.04.2021 given by the Petitioner 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 (4) weeks from the date of receipt of a copy of this order.

6.Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

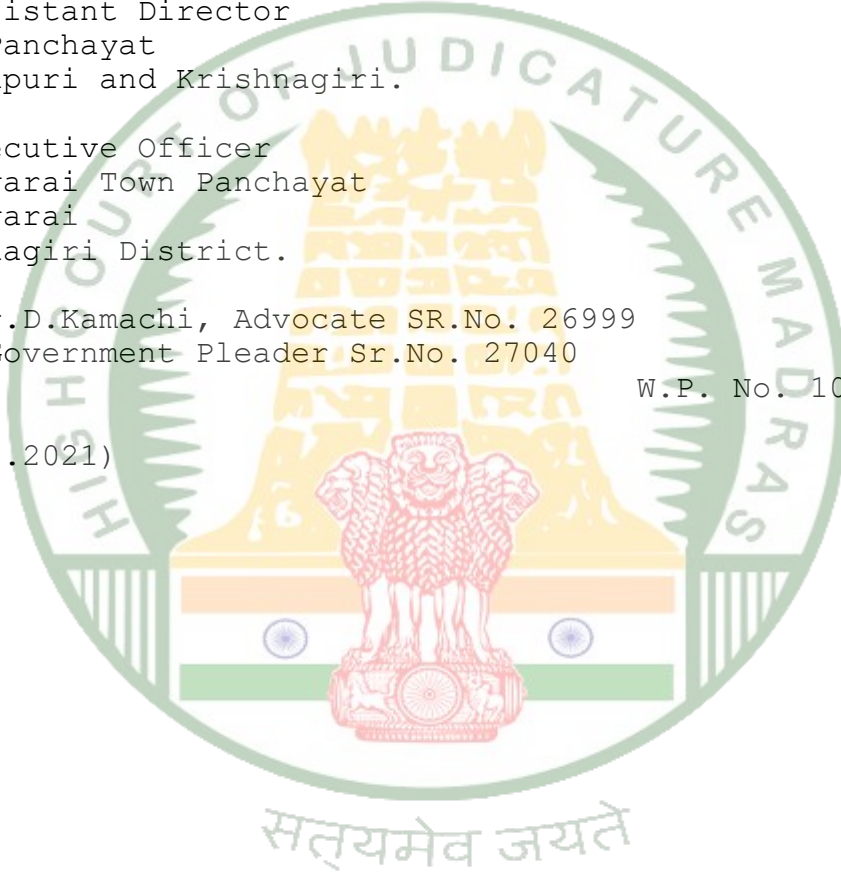
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To

1. The Secretary to Government
Municipal Administration and
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Fort St. George, Chennai - 600 009.
2. The District Collector
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4. The Executive Officer
Uthangarai Town Panchayat
Uthangarai
Krishnagiri District.

+1cc to Mr.D.Kamachi, Advocate SR.No. 26999
+1 cc to Government Pleader Sr.No. 27040

W.P. No. 10985 of 2021

vsn II(CO)
A.SK(07.07.2021)



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