



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.26408 of 2021

R.Duraisamy

... Petitioner

-Vs-

1. The District Collector
The Collector Office
Salem District.
2. The Executive Officer
Sangagiri Town Panchayat
Sangagiri, Salem District.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 08.03.2021 and consequently direct the 2nd respondent to issue plumber license to the petitioner.

For Petitioner : Mr.G.Muthukumar

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader - for R1

Mr.V.Jeevagiridharan
Additional Government Pleader - for R2

O R D E R

The prayer sought for herein is for Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 08.03.2021 and consequently direct the 2nd respondent to issue plumber license to the petitioner.

2. The petitioner claimed to be the plumber license holder issued in this regard by the second respondent Municipality and with that capacity, he claimed to have been attending plumbing work of various individual pipe connections under the second respondent Municipality. Such license was initially given to the petitioner in the year 1998 by proceedings dated 11.09.1998.



Thereafter, another proceedings was issued by the second respondent Municipality on 12.11.2003 and under the said proceedings, though plumber license was given to the petitioner, it was stated that the license would be valid for one year and thereafter it has to be renewed.

3. However, the petitioner, even though has not renewed the license specifically, has been permitted to continue to undertake the plumbing works in the second respondent Municipality. However now, according to the petitioner, there has been some hindrance from the second respondent against the petitioner from doing the plumbing works as has been undertaken by him for several years. Hence, he filed an application / representation dated 08.03.2021, requesting to renew the license already given to him ensuring unhindered work to be undertaken by him. Since the said representation has not been considered by the respondents, the petitioner has filed the present writ petition with the aforesaid prayer.

4. Reiterating the aforesaid facts, the learned counsel for the petitioner seeks the indulgence of this Court.

5. Heard Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for the second respondent and Mrs.V.Yamuna Devi, learned Special Government Pleader appearing for the first respondent, who is a formal party.

6. Learned Additional Government Pleader appearing for the second respondent, by relying upon some notification issued in this regard by the Local Authority Department dated 17.07.2003 submitted that, insofar as giving new pipe connections to various individual consumers under the second respondent Municipality, then and there public auction would be called for and in this regard, the role of the private plumbers like the petitioner is very limited and merely because he was having the plumber license for some time, he cannot be recognized to continue to be licensed plumber of the second respondent municipality merely based on his application. Anyhow, since he has made a representation / application, the same would be considered on merits and orders would be passed.

7. Considering the limited scope of the prayer in this writ petition and the stand taken by the respondents through the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

8. That there shall be a direction to the second respondent to consider the application / representation of the petitioner dated 08.03.2021 and to pass orders on merits and in accordance with law within a period of four weeks from the date of receipt



of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs.

WEB COPY

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

KST

To

1. The District Collector
The Collector Office
Salem District.
2. The Executive Officer
Sangagiri Town Panchayat
Sangagiri, Salem District.

+1cc to Mr.G.Muthukumar, Advocate, S.R.No.66367
+1cc to the Government Pleader, S.R.No.66619

W.P.No.26408 of 2021

AD(CO)
CT 05/01/2022