



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.3820 of 2021

(Through Video Conference)

WEB COPY

R.Balaguru

...Petitioner

Vs.

1. The Commissioner,
Ramanathapuram Municipality,
Municipality Building Campus,
Ramanathapuram.

2. The Revenue Inspector,
Ramanathapuram Municipality,
Municipality Building Campus,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to permit the petitioner to run Aavin Milk Booth near New Bus Stand Ramanathapuram in Ward - F, Block-5 to an extent of 8x8 in No.18 as per 1st respondent proceedings in Na.Ka.No.3966/2016/f2 dated 30.11.2018 .

For Petitioner : M/s.A.Amala
For Respondents : Mr.R.Sureshkumar,
Government Advocate

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to permit the petitioner to run the Aavin Milk Booth, as per the proceedings of the first respondent in Na.Ka.No.3966/2016/f2 dated 30.11.2018 .

2. The grievance of the petitioner is that, the first respondent through proceedings dated 30.11.2018, after considering the Resolution passed by the Municipality, allotted a space for Aavin Milk Booth in the new Bus Stand at Ramanathapuram. However, when the petitioner went to the spot and attempted to start the operation of Aavin Milk Booth, the petitioner was prevented and therefore, the petitioner was not able to enjoy the fruits of the proceedings of the first respondent dated 30.11.2018. The subsequent representation made by the petitioner also did not evoke any response. Left with no other alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.



3. Heard Ms.A.Amala, learned counsel for the petitioner and Mr.R.Sureshkumar, learned Government Advocate appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents to permit the petitioner to run the Aavin Milk Booth in accordance with the proceedings of the first respondent dated 30.11.2018 within a period of four(04) weeks from the date of receipt of a copy of this order.

5. This Writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To:

1. The Commissioner,
Ramanathapuram Municipality,
Municipality Building Campus,
Ramanathapuram.

2. The Revenue Inspector,
Ramanathapuram Municipality,
Municipality Building Campus,
Ramanathapuram.

+1 cc to Ms.A.Amala, Advocate SR 21259

+1 cc to SPECIAL GOVERNMENT PLEADER SR 21181

Order made in

W.P. (MD) No.3820 of 2021

LS

TR (12.07.2021) 3P 5C