



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **03.06.2021**

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9689 of 2021

WEB COPY

Muthu

... Petitioner
Vs.

1.The Commissioner,
Madurai Municipal Corporation,
Madurai.

2.The Assistant Commissioner,
Madurai Municipal Corporation,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.02.2021, within a stipulated period as fixed by this Court.

For Petitioner	: Mr.S.Mathavan
For Respondents	: Mr.Prabhu Ramachandran Government Advocate

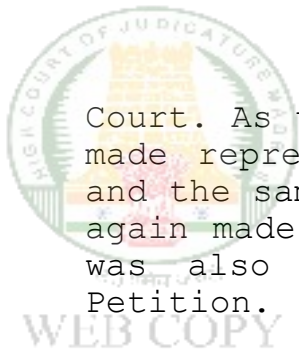
O R D E R

Mr.Prabhu Ramachandran, learned Government Advocate accepts notice on behalf of the respondents.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.02.2021, within a stipulated period fixed by this Court.

4. According to the petitioner, he got licence from the Ambalakaranpatti Panchayat authorities for running a petty/tea shop at Canal Cross Road, Uthangudi, Madurai on payment of adequate rent in the year 2002. It is stated that few years back, since Ambalakaranpatti Panchayat has come under the jurisdiction of Madurai Corporation, there are many big shops, Mini Shopping Malls, Departmental Stores and Maligai Stores were opened in that area, due to which, the income of the petitioner through the petty shop was gradually reduced. Hence, the petitioner made a representation to the respondents, seeking licence to put up a petty /tea shop near Mattuthavani to Melur Road, in between Valar Nagar Junction to High



Court. As there was no response from the respondents, the petitioner made representations to the District Collector and Mayor, Madurai and the same was also not considered. Therefore, the petitioner once again made a representation to the respondents on 25.02.2021, which was also not considered by the respondents. Hence, this Writ Petition.

5. The learned counsel for the petitioner would state that it would be suffice, if a direction is issued to the respondents, to consider and dispose of the representation of the petitioner.

6. The learned Government Advocate for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 25.02.2021, on merits and in accordance with law and take appropriate action, within a period of twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (CSI)

// 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.

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To:

- 1.The Commissioner,
Madurai Municipal Corporation,
Madurai.



2.The Assistant Commissioner,
Madurai Municipal Corporation,
Madurai.

+1 CC to M/s.R.PRABHU RAMACHANDRAN, Advocate (SR-18724[F] dated
03/06/2021)

+1 CC to M/s.S.MATHAVAN, Advocate (SR-18784[F] dated 04/06/2021)

Order made in
W.P (MD) No.9689 of 2021
03.06.2021

GS (24.06.2021) 3P 5C