



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

**W.P. (MD) .No.10513 of 2021
and W.M.P. (MD) .No.8188 of 2021**

Sopiya

... Petitioner

Vs.

1.The Commissioner,
Madurai Municipal Corporation,
Madurai.

2.Raja

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from evicting "Sri Sai Magalir Siru Semippu and Sikkana Nanaya Sangam" self help group from running and maintenance of pay and use toilet which is located at Ward No.37, Palam Station road, 2nd Zone, Madurai Town, Madurai, without following any due process of law consequently and direct the 1st respondent to extend our licence to run and maintain the pay and use toilet to "Sri Sai Magalir Siru Semippu and Sikkana Nanaya Sangam" self help group on the basis of petitioner's representation, dated 16.06.2021.

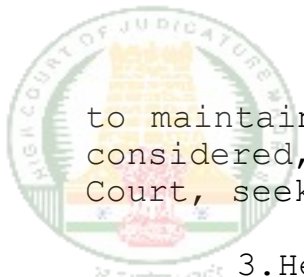
For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.R.Murali for R1
Standing Counsel

ORDER

This writ petition has been filed for the issue of Writ of Mandamus forbearing the respondents from preventing the Self Help Group from maintaining the pay and use public toilet and for a further direction to extend the licence, based on the representation made on 16.06.2021.

2.The case of petitioner is that the first respondent through proceedings, dated 10.03.2017, permitted the Self Help Group called as "Sri Sai Magalir Siru Semippu and Sikkana Nanaya Sangam" consisting of 12 women members to maintain the pay and use public toilet in the subject property. The further case of the petitioner is that the second respondent started interfering with the functioning of the Self Help Group. Aggrieved by the same, the petitioner made a representation to the first respondent requesting for the extension of the licence and to continue the Self Help Group



to maintain the pay and use public toilet. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

3.Heard Mr.T.Vadivelan, learned counsel appearing for the petitioner and Mr.R.Murali, learned Standing Counsel appearing for the first respondent.

4.Taking into consideration the facts and circumstances of this case and without going into the merits of the case, there shall be a direction to the first respondent to consider the representation made by the petitioner, on 16.06.2021 and take a decision within a period of two weeks from the date of receipt of a copy of this order. Till a decision is taken by the first respondent, status quo shall be maintained.

5.The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

6.This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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.

+1 CC to M/s.R.MURALI, Advocate (SR-20084[F] dated 24/06/2021)

Order made in

W.P. (MD) .No.10513 of 2021

24.06.2021

SE (CO)

TR(02.07.2021) 2P 2C