



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11945 of 2021

E.Manoj Parek

... Petitioner

Vs.

1.The Commissioner,
Trichy City Municipal Corporation,
Promenade Road,
Trichy-1, Trichy District.

2.The Assistant Commissioner,
Ariyamangalam Zone,
Trichy City Municipal Corporation,
Palakkarai, Trichy - 1,
Trichy District.

3.The District Secretary,
Congress Committee,
Arunachala Mandram,
Main Guard Gate,
Trichy - 2, Trichy District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing respondents 1 and 2 herein to remove the flag pole which has been illegally installed by the 3rd respondent in front of petitioner's property situated at Trichy District, Trichy Town, Door Nos.18 and 21, Sree Complex, "A" Block, Madurai Road, in the light of his representation, dated 23.04.2021, within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.R.Baskaran
Government Advocate

ORDER

This Writ Petition has been field for the issue of a Writ of Mandamus directing the first and second respondents to consider the representation made by the petitioner on 23.04.2021 and to remove the illegally installed flag pole in front of the property belonging to the petitioner.

2. The case of the petitioner is that the third respondent, who belongs to a political party, has installed a flag pole right in front of the property belonging to the petitioner without any permission and as a result of the same, it is alleged that the same is causing obstruction to the petitioner and all those persons, who are using the busy road. The petitioner has made a representation



in this regard to the first and second respondents on 23.04.2021. Since the same was not acted upon, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.R.Sundar, learned counsel appearing for the petitioner and Mr.R.Baskaran, 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 first respondent to consider the representation made by the petitioner on 23.04.2021 and if the flag pole has been installed by the third respondent without any permission, the same shall be removed immediately, within a period of two (2) weeks from the date of receipt of a copy of this order.

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 stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (P&A)

// 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,
Trichy City Municipal Corporation,
Promenade Road, Trichy-1, Trichy District.

2.The Assistant Commissioner,
Ariyamangalam Zone,
Trichy City Municipal Corporation,
Palakkarai, Trichy - 1, Trichy District.

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