



W.P.No.29202 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29202 of 2022

S.Gunasekaran

.. Petitioner

v.

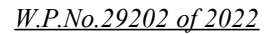
1. The Additional Chief Secretary
to Government
State of Tamil Nadu
Municipal Administration and
Water Supply Department
Fort St.George
Chennai 600 009

2. The District Collector
District Collectorate
Tirupur District 641 604

3. The Commissioner
Tirupur City Municipal Corporation
Tirupur 641 604

.. Respondents

Petition under Article 226 of the Constitution of India praying for



For Petitioner	::	Mr.D.Selvam for Mr.E.Balamurugan
For Respondents	::	Mr.R.Shunmugasundaram Advocate General assisted by Mr.P.Muthukumar State Government Pleader for R1 & R2 Mr.J.Ravindran Additional Advocate General assisted by Ms.P.Shanthi for R3

(Order of the Court was made by the Hon'ble Acting Chief Justice)

Mr.S.Gunasekaran has filed this writ petition under Article 226 of the Constitution of India, praying for issuance of a mandamus to direct the respondents to consider his representation dated 30.08.2022, in and by which he has requested to rename the old bus stand at Tirupur as the "Freedom Fighter Kodi Katha Kumaran" bus terminus.



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2. Mr.D.Selvam, learned counsel appearing for the petitioner submitted that the petitioner being the former Member of the Tamil Nadu Legislative Assembly elected in the 15th Tamil Nadu Assembly Elections from the Tirupur South Constituency for the period 2016-2021 representing the All India Anna Dravida Munnetra Kazhagam and he is presently the Tirupur Urban District MGR Youth Wing Secretary. When Kodi Katha Kumaran alias OKSR Kumaraswamy Mudaliar was born on 4th October, 1904 in a middle class family in Chennimalai, now Erode in Tamil Nadu, inspired by Mahatma Gandhiji's values and objectives, he participated in the freedom movement dedicating himself for the freedom of the nation. Finally he also laid down his life for the cause of freedom. Therefore, a representation was given stating that the Tirupur District Town Bus Stand established in the year 1982 should be named after Freedom Fighter Kodi Katha Kumaran bus terminus. In the meanwhile, an urgent meeting was convened by the Tirupur City Municipal Corporation Council for renaming the old bus stand as "Muthamizh Arignar Dr.Kalaighnar Karunanidhi Central Bus Terminus" by adding the said subject as item no.289 in the agenda and



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the same was also placed before the Corporation Council on 30.05.2022 and thereafter, it was sent to the Government for approval. The first respondent also in his proceedings dated 24.08.2022 has granted permission to pass a resolution by the Tirupur City Municipal Corporation. Based on the above, the Council also has passed another resolution on 29.08.2022 to rename the old bus stand at Tirupur as "Muthamizh Arignar Dr.Kalaignar Karunanidhi Central Bus Terminus". But the petitioner's representation has not been considered. Therefore, a direction is sought as prayed for, it is pleaded.

3. Mr.R.Shunmugasundaram, learned Advocate General appearing for the respondents 1 & 2, opposing the prayer made by the petitioner and drawing our notice to the resolution, submitted that when a letter was received from the Mayor of Tirupur City Municipal Corporation on 26.05.2022 to rename the old bus stand as "Muthamizh Arignar Dr.Kalaignar Karunanidhi Central Bus Terminus", the same was placed before the Corporation Council meeting on 30.05.2022 and based on the majority opinion, it was sent to the Government for approval and the



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Government also, accepting both the letter and the majority opinion, by the proceedings dated 24.08.2022, has granted permission to pass a resolution by the Tirupur City Municipal Corporation. Based on the same, the elected Council has passed a detailed resolution on 29.08.2022 to rename the Tirupur old bus stand as "Muthamizh Arignar Dr.Kalaaignar Karunanidhi Central Bus Terminus". Therefore, when the old bus stand at Tirupur has been named after "Muthamizh Arignar Dr.Kalaaignar Karunanidhi Central Bus Terminus", the representation given by the petitioner on 30.08.2022 to rename the aforementioned bus stand is untenable.

4. We also do not find any merit in the writ petition. The reason is very clear. When a letter was sent by the Mayor on 26.05.2022 requesting to rename the old bus stand at Tirupur as "Muthamizh Arignar Dr.Kalaaignar Karunanidhi Central Bus Terminus", the same was rightly placed before the Tirupur City Municipal Corporation Council on 30.05.2022 and based on the majority opinion, the first respondent also in his proceedings dated 24.08.2022 has granted permission to pass a resolution by the Tirupur City



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Municipal Corporation and accordingly, a resolution has also been passed by the Corporation Council on 29.08.2022 to rename the old bus stand at Tirupur as "Muthamizh Arignar Dr.Kalaignar Karunanidhi Central Bus Terminus". Hence, the claim of the petitioner for a direction to the respondents to consider his representation dated 30.08.2022 to rename the old bus stand at Tirupur, without questioning the resolution, is unjustified. Therefore, finding no merits, the writ petition is dismissed. Consequently, W.M.P.No.28497 of 2022 is also dismissed. However, there is no order as to costs.

Speaking/Non speaking order
Index : yes/no

(T.R.,A.C.J.) (D.B.C.,J.)
10.11.2022

SS

To

1. The Additional Chief Secretary
to Government of Tamil Nadu
Municipal Administration and
Water Supply Department
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