



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7479 of 2022

WEB COPY

M.Meenatchisundaram

... Petitioner

/Vs./

The Commissioner,
O/o. Madurai Corporation Office,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pass orders on the petitioner's representation dated 17.02.2022 and permit the petitioner to put up his Juice shop in Ward No. 74, Keelamasi Veethi, Madurai, within the time that may be stipulated by this Court.

For Petitioner	: Mr.Mahaboob Athiff for Mr.P.Muruganantham
For Respondent	: Mr.S.Vinayak Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to consider the petitioner's representation dated 17.02.2022 seeking permission from the respondent to put up his Juice shop in Ward No. 74, Keelamasi Veethi, Madurai within a time frame to be fixed by this Court.

2.According to the petitioner, he was granted licence to run a Juice shop in the aforementioned property earlier. But, all of a sudden, the shop was demolished. Thereafter, he has given a representation on 17.02.2022 requesting permission from the respondent to put up his juice shop once again in the very same place. Since the said representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.Mahaboob Athiff, learned Counsel for the writ petitioner and Mr.S.Vinayak, learned Standing counsel, who accepts notice on behalf of the respondent.

4.The learned standing counsel appearing for the respondent, on instructions, would submit that only pursuant to the directions



given by the Division Bench of this Court in a Public Interest Litigation, the shop belonging to the petitioner and other shops, which were encroached were demolished.

5.However, the learned counsel appearing for the petitioner submits that the petitioner is not a party to the aforesaid public Interest litigation.

6.No prejudice would be caused to the respondent, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner. The petitioner seeks permission for putting up a juice shop once again in the very same place, based on his representation dated 17.02.2022.

7.For the foregoing reasons, this Court directs the respondent to consider the petitioner's representation dated 17.02.2022 seeking permission to put up his juice shop in Ward No. 74, Keelamasi Veethi, Madurai, on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO
The Commissioner,
O/o. Madurai Corporation Office,
Madurai.

+1 CC to M/s.S. VINAYAK, Advocate (SR-20639[F] dated 22/04/2022)

+1 CC to M/s.P. MURUGANANTHAN, Advocate (SR-20711[F]
dated 22/04/2022)

order made in

W.P. [MD]No.7479 of 2022

Dated:

20.04.2022

CK (CO)

GC (09.05.2022) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>