



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8449 of 2022

R.Rajagopalan

... Petitioner

/Vs./

1.The Commissioner,
Trichy City Municipal Corporation,
Trichy.

2.The Inspector of Police,
Srirangam Police Station,
Trichy City.

3.Gajalakshmi

... Respondents

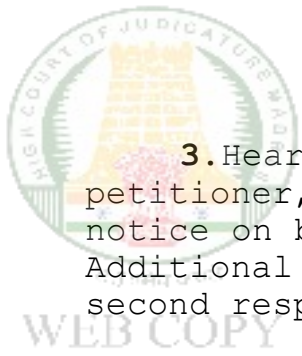
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to consider the petitioner's representations dated 08.04.2022 and 18.04.2022 to relocate the 3rd respondent's push-cart from the petitioner's house entrance situated at Old No.23, New No.14, IInd Street, Ragavendrapuram, Srirangam, Trichy to some other place.

For Petitioner	: Mr.T.Lenin Kumar
For R1	: Mr.R.Baskaran
	Standing Counsel
For R2	: Mr.D.Sasikumar
	Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representations dated 08.04.2022 and 18.04.2022 seeking for relocation of the 3rd respondent's push-cart located at the petitioner's house entrance situated at Old No.23, New No.14, IInd Street, Ragavendrapuram, Srirangam, Trichy to some other place, and pass final orders within a time frame to be fixed by this Court.

2.The petitioner's grievance is that the third respondent is having a push-cart in front of his house selling snacks, causing inconvenience to the petitioner. According to the petitioner, drunkards are also visiting the push-cart, where snacks are sold by the third respondent and the shop is kept open in the late hours of the night. The petitioner has given representations on 08.04.2022 and 18.04.2022 to the first respondent to remove the push-cart and locate it to some other place. Since the said representations have not been considered till date, the petitioner has filed this writ petition.



3.Heard Mr.T.Lenin Kumar, learned Counsel for the writ petitioner, Mr.R.Baskaran, learned Standing Counsel, who accepts notice on behalf of the first respondent and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the second respondent.

4.No prejudice would be caused to the respondents, if the petitioner's representations seeking for re-location of the third respondent's push-cart from the place in front of the petitioner's house to some other place is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the third respondent.

5.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representations dated 08.04.2022 and 18.04.2022 seeking for re-location of the third respondent's push-cart from the place in front of the petitioner's house to some other place situated in Old No.23, New No.14, IInd Street, Ragavendrapuram, Srirangam, Trichy to some other place and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the third respondent, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Commissioner,
Trichy City Municipal Corporation, Trichy.

2.The Inspector of Police,
Srirangam Police Station, Trichy City.

+1 CC to M/s.T. LENIN KUMAR, Advocate (SR-22572[F] dated 29/04/2022)

+1 CC to M/s.SPL. GP (SR-22979[F] dated 29/04/2022)

W.P. [MD]No.8449 of 2022

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