



WEB COPY



W.P.No.7643 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.7643 of 2020

W.M.P.Nos.8997 of 2020 & 9759 of 2021

P.Karunakaran

... Petitioner

Versus

1.The Commissioner
Pollachi Municipality
Coimbatore District

2.J.Sivakumar

(R2 impleaded vide Order dated 01.06.2023 made in
W.M.P.No.12297 of 2021 in W.P.No.7643 of 2020)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to the impugned order dated 30.04.2020 passed by the respondent vide Aa.Peh.Ka.No.6 of 2020 Na.Aa.IV, passed by the respondent, quash the same.

For Petitioner

: Mr.D.R.Arunkumar

For Respondents

: Mr.Najeeb for R1

Mr.R.Tholgappian for R2

ORDER

This writ petition is filed challenging the order dated 30.04.2020 passed by the respondent vide Aa.Peh.Ka.No.6 of 2020 Na.Aa.IV, passed by the



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respondent, quash the same.

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2. The case of the petitioner is that the petitioner obtained permission for running Aavin booth from the official respondent. However, the respondent issued the impugned notice on 30.04.2020 under Section 216(1)(2) of Tamil Nadu District Municipalities Act, 1920 to stop the illegal construction and demolish the same. Challenging the said order, this writ petition.

3. The learned counsel for the petitioner seeks this Court to issue directions to the first respondent/Commissioner to dispose of the petitioner's representation dated 05.05.2020 within a reasonable time as fixed by this Court.

4. Heard both sides and perused the materials placed on record. Considering the limited relief sought for by the petitioner, this Court directs the first respondent to dispose of the representation of the petitioner dated 05.05.2020 by passing appropriate orders on merits and in accordance with law, after affording opportunity to the petitioner as well as the second respondent within a period of twelve weeks from the date of receipt of a copy of this Order.



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5. In view of the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

01.06.2023

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Speaking Order : Yes/ No

Index : Yes/ No

Internet : Yes/No

To

The Commissioner
Pollachi Municipality
Coimbatore District



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M.DHANDAPANI, J.

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