



WEB COPY



W.P.No.21248 of 2023

W.P.No.21248 of 2023
and
WMP.No.20664 of 2023

S.SOUNTHAR, J.

This matter is posted for being mentioned at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner brought to the notice of this Court that at the time of disposal of the Writ Petition interim protection was given to the petitioner by directing the respondents not to disturb the possession of the petitioner till the final orders are passed on the representation of the petitioner dated 27.06.2023. The said portion of the order has not been reflected in the order copy issued to him.

3. The learned counsel for the respondents does not dispute the same.

4. Therefore, the Registry is directed to issue a fresh order copy by incorporating the above correction as hereunder:



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S.SOUNTHAR, J.

dna

“ 5. In view of the limited prayer made by the writ petitioner; without expressing any opinion on the merits of the claim made by the petitioners, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioners dated 27.06.2023 on merits and pass final orders, within a period of four weeks from the date of receipt of copy of this order. Till then, the petitioner shall not be disturbed.”

25.07.2023

dna

Note: Issue order copy today (25.07.2023)

W.P.No.21248 of 2023

and

WMP.No.20664 of 2023



W.P.No.21248 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.21248 of 2023

and

WMP.No.20664 of 2023

1.Puducherry Raji Gandhi Bus Stand Trader's Association
represented by its Secretary

Shop No.7, Kaleeshuwara

New Bus Stand Annex, Orliampet

Puducherry 605 005.

2.P.Pougajendy

3.T.Mathivanan

4.Elavarasan RS

5.S.Senthil Kumaran

6.G.Kathiresan

...Petitioners

Vs.

1.The Commissioner

Revenue Officer

Pondicherry Municipality

Kamban Kalaiarangam Bussy St

Puducherry 605 001.

2.The Chief Secretary

Government of Puducherry

Chief Secretariat



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Puducherry 605 001.

3. The Secretary

Department of Local Administration

Chief Secretariat

Puducherry 605 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose the representation of the petitioners dated 27.06.2023 and direct the first respondent to follow due process of law to vacate, re-allot and temporary arrangements to the petitioners for running the shops of the petitioners.

For Petitioners : Mr.P.Jesus Moris Ravi

For Respondents : Mr.M.Nirmal Kumar
Government Advocate (Pondicherry)

ORDER

The petitioners herein seek a direction to the first respondent to dispose of the representation dated 27.06.2023 seeking temporary arrangements for the petitioners' shop. The petitioners are licensee of the shops located in New Bus Stand Main, Iyyanar Koil Street, Raja Nagar, Puducherry.



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2. The respondents have decided to construct a new bus stand in the very same place where the present bus stand is functioning. The petitioners submitted a representation to the first respondent on 27.06.2023 seeking an assurance that in the newly constructed bus stand, shops will be allotted to the petitioners, who are already running shops in the existing bus stand. The petitioners also made a request seeking provision for alternative accommodation during the construction period.

3. Mr.M.Nirmal Kumar, learned Government Advocate takes notice for the respondents.

4. The main grievance expressed by the petitioners is that the representation submitted by the petitioners on 27.06.2023 has not been considered.

5. In view of the limited prayer made by the writ petitioner, without expressing any opinion on the merits of the claim made by the



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petitioners, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioners dated 27.06.2023 on merits and pass final orders, within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

18.07.2023
(½)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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To

- 1.The Commissioner
Revenue Officer
Pondicherry Municipality
Kamban Kalaiarangam Bussy St
Puducherry 605 001.
- 2.The Chief Secretary
Government of Puducherry
Chief Secretariat
Puducherry 605 001.
- 3.The Secretary
Department of Local Administration
Chief Secretariat
Puducherry 605 001.



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S.SOUNTHAR, J.

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and
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18.07.2023