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W.P.No.20868 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS. JUSTICE N.MALA**

W.P.No.20868 of 2023

N.Srinivasan
Proprietor,
Gokul Adds, No.175, Chithambaram Colony,
Erode - 638 001

..Petitioner

Vs.

1. The District Collector,
Erode.

2. The Commissioner,
Erode Corporation, Erode.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to consider the representation submitted by the petitioner dated 12.06.2023 in person and 11.07.2023 by post consequently extended the benefit of Clause (C) of the common order dated 28.04.2023 in the batch of writ petitions W.P.No.25220 of 2018 etc., on the file of this Hon'ble Court, thereby directing the respondents herein to receive the applications of the petitioner as per the new Rules.



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For Petitioner : Mr.Isaac Mohanlal,
Senior Counsel
for Mr.K.Muthu Ganesa Pandian

For Respondents : Mr.P.Gurunathan,
Additional Public Prosecutor for R1
Mr.M.Raja Mathivanan
Standing Counsel for R2

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to consider the representation submitted by the petitioner dated 12.06.2023 in person and 11.07.2023 by post, consequently extended the benefit of Clause (C) of the common order dated 28.04.2023 in the batch of writ petitions W.P.No.25220 of 2018 etc., on the file of this Hon'ble Court, thereby directing the respondent herein to receive the applications of the petitioner as per the new Rules.

2. According to the petitioner he is doing business by erecting Hoardings in Erode Town, regarding which, the District Collector of Erode has granted license to the petitioner in 30 places as prescribed in the conditions of the license. Under misconception, the officials of the Erode Corporation had interfered in the business of the petitioner. Therefore, the petitioner filed W.P.No.9986 of 2018 before this Court



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and the interest of the petitioner is protected by way of an interim order.

In the meanwhile, batch of cases in W.P.No.25220 of 2018 etc. was disposed of with a direction to the concern officials to entertain the application to be submitted by the petitioner under new rule. Unfortunately, the writ petition filed by the petitioner was delinked from the batch. The direction issued in Clause (C) in the common order dated 28.04.2023 is applicable to the writ petitioner who has not submitted the application as per new rules entitling the benefit of eight weeks time. However, on coming to know of the above order, the petitioner submitted application to the respondent corporation on 12.06.2023 in person and on 11.07.2023 through post. Since the common order was not passed in the petitioner's writ petition, the respondent is not accepting the application stating that the petitioner's writ petition is not included in the above common order. Hence, the present writ petition.

3. Considering the facts and circumstances of the case and in the light of the order passed by this Court in W.P.No.25220 of 2018 etc., batch, a direction is issued to the 2nd respondent to consider the representations of the petitioner dated 12.06.2023 and 11.07.2023 and



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pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs.

(J.N.B,J.) (N.M., J.)
21.07.2023

Index : Yes / No
Internet : Yes
vsi

To

1. The District Collector,
Erode.
2. The Commissioner,
Erode Corporation,
Erode.

J. NISHA BANU, J.
and



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N.MALA,J.

vsi

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