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W.P.No.23212 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23212 of 2023

A.Sumathi

...Petitioner

Vs.

1.The Commissioner
Office of the Namakkal Municipality
Namakkal Town
Namakkal District.

2.Arulmozhi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to dispose the petitioner's representation dated 14.06.2023.

For Petitioner : Mr.J.Jayan
for Mr.W.Camyles Gandhi

For Respondent : Mrs.S.Anitha for R1
Special Government Pleader



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ORDER

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The petitioner herein seeks a direction to the first respondent to consider his representation dated 14.06.2033 and pass final orders.

2. It is the case of the petitioner that the petitioner's husband P.Arumugam along with the second respondent's husband Sargunam originally carrying on the flower business in platform Shop.No.051/159 in the Namakkal Municipality Bus Stop.

3. It is further averred that the petitioner along with one Sargunam participated in the auction and allotment was made in the name of Sargunam. However, both the petitioner's husband and the said Sargunam were carrying on the flower business in the very same shop prior to the year 2006. Subsequently, the said Sargunam had withdrawn from the flower business. The same was continued by the petitioner's husband all along and the rent for the municipality was paid by the petitioner's husband namely, P.Arumugam.

4. The petitioner's husband passed away on 25.11.2018 and



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thereafter, the petitioner and her younger son viz., Shanmugam have been carried on the flower business in the above mentioned shop. Now, the shop has been transferred in the name of the second respondent without following any procedure and therefore, the petitioner submitted a representation dated 14.06.2023 to the first respondent requesting him to cancel the name transfer made in the name of the second respondent and the same has not been considered till date.

5. Mrs.S.Anitha, learned Special Government Pleader takes notice for the first respondent.

6. In view of the limited prayer made by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 14.06.2023 and pass final orders on merits and in accordance with law, after issuing notice to the second respondent within a period of six weeks from the date of receipt of copy of this order.

S.SOUNTHAR, J.



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7. With the above direction, this Writ Petition is disposed of. No

costs.

08.08.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

dna

To

The Commissioner
Office of the Namakkal Municipality
Namakkal Town
Namakkal District.

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