



WEB COPY



W.P(MD)No.30371 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.30371 of 2023

and

W.M.P.(MD)Nos.26148 of 2023

K.Uma

... Petitioner

**Vs.**

The Commissioner,  
Karur Municipal Corporation,  
Corporation Office,  
Karur.

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 29.11.2023 and pass appropriate orders to allow the petitioner to run the Shop No. 36, New Bus Stand, Karur within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondent : Mr.K.Balasubramani  
Special Government Pleader

**ORDER**

Heard both sides.



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2. The petition mentioned shop was allotted in favour of Krishnan.

Krishnan passed away. Thereafter, his wife was running the shop. His wife also met with an accident and died. The shop had already been locked by the respondent corporation and the electricity service connection has been cut off. The petitioner has given a representation to the respondent that she may be allowed to run the shop. She also wants the electricity service connection to be restored. However, there is one impediment. It is seen that the petitioner's family is in huge arrears in respect of the petition mentioned shop and also there are substantial arrears. Therefore, this Court will not be justified in issuing any positive direction.

3. The respondent can only be called upon to consider the petitioner's case taking into account the tragic deaths that have occurred in her family. The petitioner's mother is no more. The petitioner's father is no more. The petitioner's brother is no more. Therefore, the respondent can consider granting relief by putting the petitioner on appropriate terms. That would be without prejudice to the petitioner's rights to contest the writ petition earlier filed by the petitioner's mother. Such an order shall be passed by the respondent within four weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. I am only leaving it to the discretion of the respondent.



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4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**20.12.2023**

Index : Yes / No  
Internet : Yes/ No  
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To

The Commissioner,  
Karur Municipal Corporation,  
Corporation Office,  
Karur.



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**G.R.SWAMINATHAN, J.**

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