



WP.No.8275/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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M.Raja

... Petitioner

Vs.

1.The District Collector
Namakkal District, Namakkal.

2.The Divisional Engineer
Highways Department
Namakkal, Namakkal District.

3.The Dean
Government Hospital,
Namakkal, Namakkal District.

4.The President
Siluvampatti Panchayat
Namakkal Taluk, Namakkal District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus directing the respondents, particularly, the 2nd respondent to consider the petitioner representation dated 19.01.2024 sent



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for seeking permission to locate the shop particularly at Government Medical College Road, Siluvampatti Panchayat, Namakkal.

For Petitioner	: Mr.R.Thanjan
For RR1 to 3	: Mr.M.R.Gokul Krishnan, AGP
For R4	: M/s.Akila Rajendran

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1)The present writ petition has been filed by the petitioner seeking for issuance of a writ of mandamus to direct the respondents, particularly, the 2nd respondent to consider the petitioner representation dated 19.01.2024 sent for seeking permission to locate the shop particularly at Government Medical College Road, Siluvampatti Panchayat, Namakkal.
- (2)Mr.M.R.Gokul Krishnan, learned Additional Government Pleader accepts notice on behalf of respondents 1 to 3 and M/s.Akila Rajendran, learned Standing counsel accepts notice on behalf of the 4th respondent.
- (3)Having regard to the nature of prayer in the representation, this Court is unable to give any directions to the respondents.
- (4)The petitioner though states that the petitioner is a differently abled person and unemployed, he seeks permission for running a shop in any public place outside the Government Medical College Road, Namakkal.



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The petitioner has submitted a representation before the 4th respondent. It is not stated whether the place belongs to the Local Body.

(5) In such circumstances, except directing the 4th respondent to consider the representation of the petitioner, this Court cannot issue any positive direction. This Court has not considered the merits of the case. If the 4th respondent has got any premises within their control, the local Body may consider the representation of the petitioner. No license can be issued to run any shop within the road margin. If any vacant space within the control of Local Body is available and license can be granted without causing hindrance to public, the petitioner's representation can be considered.

(6) With the above direction and observation, the writ petition stands **disposed of**. No costs.

[S.S.S.R., J.] [N.S., J.]
01.04.2024

AP

Internet : Yes



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To

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S.S. SUNDAR, J.,
and
N.SENTHILKUMAR, J.,

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