



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2024

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THE HONOURABLE DR.JUSTICE ANITA SUMANTH

WP.No.16044 of 2024 and
WMP.No.17546 of 2024

M.Prideevirajan

... Petitioner

Vs.

The Commissioner,
Commune Panchayat Office,
Ariyankuppam,
Pondicherry-07

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the Respondent to renew the Trade License No.1120210007 by considering the petitioner's application dated 02.04.2024 and representation dated 08.04.2024.

For Petitioner : Ms.V.Pavithra Devi

For Respondent : Mr.A.Tamilvanan
Additional Government Pleader (Pondicherry)

Mr.V.Chandrasekaran (for Intervenor though
no vakalath or application is filed)

ORDER

Mr.A.Tamilvanan, learned Additional Government Pleader (Pondicherry) accepts notice for the respondent and is equipped with the necessary information to enable a final disposal of this matter now.



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2.The petitioner has sought a mandamus directing the Commissioner, Commune Panchayat Office, Pondicherry/Respondent to renew Trade Licence No.1120210007 by considering the petitioner's application dated 02.04.2024 and representation dated 08.04.2024. The application relates to a Marriage Hall under the name and style of 'R.Meenakshi Sivapakkiam Mahal' at No.189, Cuddalore Main Road, Thavalakuppam, Puducherry-605007 ('property'/'property in question').

3.Mr.Chandrasekaran, learned counsel intervene in the matter claiming to represent one D.Thangarasu, who states that he is the present owner of the property in question.

4.The licence sought by both parties is for the running of the same Kalyana Mandapam. While the petitioner derives authority by virtue of a lease deed dated 30.01.2019, the rival claimant states that he is the present owner of the property. The matter is ridden with disputed facts.

5.The respondent also submits that the application of the petitioner has been rejected on 02.04.2024, albeit by virtue of a non-speaking order and a representation has been filed by the petitioner on 08.04.2024 thereafter. D.Thangarasu is also stated to have filed a representation for issuance of Trade licence in his name to run the same Kalyana Mandapam.

6.That apart, a Civil Suit is also pending instituted by the petitioner seeking relief of permanent injunction against D.Thangarasu and others.



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7. In light of the aforesaid narration, it would suffice, in the interests of all the warring parties, to direct the disposal of the petitioner's representation dated 08.04.2024 as well as the representation stated to have been filed by D.Thangarasu, and pass orders after hearing both the petitioner as well as D.Thangarasu and any other interested party. Let this exercise be completed within a period of six (6) weeks from date of receipt of a copy of this order.

8. This writ petition is disposed. No costs. Connected miscellaneous petition is closed.

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vs

Index: Yes/No

Speaking order

Neutral citation: Yes

To

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DR.ANITA SUMANTH,J.

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