



W.P.(MD)Nos.16611 & 16382 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos. 16611 & 16382 of 2021

and

WMP(MD)Nos.13231, 13482 & 13485 of 2021

M.Ravikumar

...Petitioner in
W.P(MD)No.16611 of 2021

K.Suganthi

...Petitioner in
W.P(MD)No.16382 of 2021

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Additional Director of Panchayats,
Madurai,
Madurai District.
3. Sholavanthan Town Panchayat,
Represented by its Executive Officer,
Sholavanthan Town Panchayat,
Madurai District.

...Respondents in both
the petitions



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PRAYER in W.P(MD)No.16611 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of ***Writ of Certiorarified Mandamus***, calling the records pertaining to impugned notice with vendors list, dated 17.08.2021 in Na.Ka.No.58/2021 and kulukal notice, dated 31.08.2021 in Na.Ka.No.53/2021 scheduling the Kulukal on 02.09.2021, affixed by the 3rd respondent and quash the same and consequently direct the Respondents to allotment one shop to the petitioner in the new market at Sholavanthan Daily Market.

PRAYER in W.P(MD)No.16382 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of ***Writ of Certiorarified Mandamus***, calling the records pertaining to impugned notice with vendors list, dated 17.08.2021 in Na.Ka.No.58/2021 and kulukal notice, dated 31.08.2021 in Na.Ka.No.53/2021 scheduling the Kulukal on 02.09.2021, affixed by the 3rd respondent and quash the same and consequently direct the Respondents to allotment one shop to the petitioner in the remaining shops at the new market Sholavanthan.

In W.P(MD)No.16611 of 2021

For Petitioner : M/s.K.Kevin Karnan

For Respondents : Mr. C.Baskaran,
Government Advocate



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In W.P(MD)No.16382 of 2021

For Petitioner : M/s.M.Jothiramalingam

For Respondents : Mr. C.Baskaran,
Government Advocate

COMMON ORDER

Since the issue involved in these Writ Petitions are similar in nature both the writ petitions are taken up together and disposed of by a Common order.

2. These writ petitions are filed challenging the Vendor List, dated 17.08.2021 and the Sale notice, dated 31.08.2021 and the consequential prayer to allot the shop.

3. Heard on either side and perused the material documents available on record.

4. The contention of the petitioners is that earlier there were 94 shops running under the 3rd respondent Panchayat, subsequently, it was reduced to 66 shops. In order to put up new constructions, the 3rd respondent has issued



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directions to the incumbents to vacate the premises and also assured that they will be allotted shop, after new construction was over. The 3rd respondent has taken a list of occupants. In the list consists of 66 persons, the petitioners' namely; Suganthiuma, Ravikumar, were shown in Serial Nos.64 & 65, however, subsequently the list was reduced to 58, wherein both the petitioners' name were left out. Aggrieved over the same, the petitioners are before this Court.

5. However, the Learned Government Advocate appearing for the respondents submitted that, eventhough the petitioners' name were not shown in the subsequent list, there are eight shops which are sill vacant.

6. In view of the submission made by the Learned Government Advocate, the respondents are directed to consider the petitioners' case and allot any shop, preferably, the shops may be allotted based on the choice of the petitioners. The exercise shall be completed within a period of Four weeks, from the date of receipt of a copy of the order.



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7. With the above terms, these Writ Petitions are allowed. No Costs.

Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

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Internet : Yes

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To

1. The District Collector,
Madurai District,
Madurai.
2. The Additional Director of Panchayats,
Madurai,
Madurai District.
3. Sholavanthan Town Panchayat,
Represented by its Executive Officer,
Sholavanthan Town Panchayat,
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S.SRIMATHY. J

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**Common Order made in
W.P.(MD)No. 16611 & 16382 of 2021**

04.09.2023