

In the High Court of Judicature at Madras

Dated: 13.04.2015

Coram:

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No. 30166 of 2010
and M.P. No. 3 of 2010

1. K. Madhaiyan
2. C. Annadurai
3. P.V. Krishnamurthy
4. P.S. Nawab John
6. M. Alagammal

.. Petitioners

vs.

1. Pennagaram Town Panchayat Council
Pennagaram, Dharmapuri District
rep. by its Chairman.
2. The Executive Officer
Pennagaram Town Panchayat
Pennagaram, Dharmapuri District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the entire records relating to the impugned order passed by the second respondent in his proceedings Na.Ka.No.55/2010/A1, dated 27.12.2010 and quash the same.

For Petitioner : Mr. C. Prakasam
For Respondents : Mr. G. Sankaran.

सत्यमेव जयते
O R D E R

By consent of both sides, the main writ petition itself is taken up for final disposal. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.G.Sankaran, learned counsel for the respondents.

2. The petition has been filed to quash the impugned proceedings of the second respondent-Executive Officer, Pennagaram Town Panchayat, dated 27.12.2010, wherein the petitioners were directed to handover the vacant site/stalls allotted to them at Pennagaram bus stand on lease basis. Aggrieved by the same, the petitioners have filed the writ petition.

3. This Court, while entertaining the writ petition on 29.12.2010, granted interim stay of the impugned proceedings dated 27.12.2010. However, the respondents have not taken any steps to vacate the interim order nor filed a counter affidavit. Therefore, at this point of time, after nearly five years, it would be inequitable to allow the respondents to implement the order. Accordingly, the writ petition is disposed of, leaving it open to the respondents to initiate fresh action, if they are so advised. No costs. Consequently, M.P.No.3 of 2010 is closed.

s/d-

Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To

1. The Chairman
Pennagaram Town Panchayat Council
Pennagaram, Dharmapuri District.
2. The Executive Officer
Pennagaram Town Panchayat
Pennagaram, Dharmapuri District.

+ 1 cc to Mr.G.Sankaran, Advocate, SR 20501

mg(co)
prk23/4

W.P. No. 30166 of 2010

सत्यमेव जयते

WEB COPY