

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-02-2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

W.P.Nos.8865 and 8866 of 2014

and

M.P.No.4 of 2014 (2 in Nos.)

and

M.P.Nos.1 of 2014 (2 in Nos.)

2 of 2014 (2 in Nos.)

3 of 2014 (2 in Nos.)

1. N. Palanisamy
2. V. Vijayalakshmi
3. N.M. Velliangiri
4. S. Thenmozhi
5. S. Thenmozhi
6. M. Kandhasamy
7. P. Balasubramaniam
8. Rukmani
9. R. Rangasamy
- 10.S.P. Balasubramaniam
- 11.M. Jamal Abdul Kathir

... Petitioners in W.P.No.8865 of 2014

1. A. Selvaraj
2. M. Kamalam
3. M. Kalith
4. A. Ramachandiran
5. Soundharavalli
6. S. Venkatachalam
7. S. Poomayal
8. P. Balasubramanian

.. Petitioners in W.P.No.8866 of 2014

vs

1. The State of Tamil Nadu
rep by its Secretary to Government,
Municipal Administration & Water
Supply Department, Fort St. George,
Chennai

2. Executive Officer,
Nambiyur Town Panchayat,
Nambiyur Gobichettipalayam Taluk,
Erode District

3. Nambiyur Town Panchayat,
rep by its President,
Nambiyur,
Gobichettipalayam Taluk,
Erode District

.. Respondents in both the writ petitions

W.P.No.8865 of 2014:

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in Resolution No.248 and 249 /2013 dated 23.12.2013 respectively insofar as demolition and reconstruction is concerned and the consequential proceedings of the 2nd respondent in NA.KA.No.29/2014/A2 dated 30.01.2014 and NA.KA.No.29/2014/A2 dated 04.03.2014, quash the same and direct the 2nd respondent to extend the lease for shop Nos.1 to 11 in vacant land line shops for further period of three years from 01.04.2014 to 31.03.2017 as per the provisions of G.O.Ms.No.92 dated 3.7.2007 and Letter Lr.No.8655/Na.Ne4(2)/09-1 dated 12.03.2009 or in the alternative direct the respondents to re-allot the shops to the petitioners after reconstruction as per PWD rates.

W.P.No.8866 of 2014:

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in Resolution No.248 and 249 /2013 dated 23.12.2013 respectively insofar as demolition and reconstruction is concerned and the consequential proceedings of the 2nd respondent in NA.KA.No.29/2014/A2 dated 30.01.2014 and NA.KA.No.29/2014/A2 dated 04.03.2014, quash the same and direct the 2nd respondent to extend the lease for shop Nos.1 to 3 in Old Market Shops and Shop Nos.1 to 5 in New Market Shops for a further period of three years from 01.04.2015 to 31.03.2018 as per the provisions of G.O.Ms.No.92 dated 3.7.2007 and Letter Lr.No.8655/Na.Ne4(2)/09-1 dated 12.03.2009 or in the alternative direct the respondents to re-allot the shops to the petitioners after reconstruction as per PWD rates.

For petitioner in : Mr.S. Ravee Kumar
both the petitions

For 1st respondent : Mr.N. Srinivasan,
Additional Government Pleader

For 2nd respondent: Mr.R. Rajeswaran,
Special Government Pleader

COMMON ORDER

The petitioners in W.P.No.8865 of 2014 have filed the writ petition to issue Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in Resolution No.248 and 249 / 2013 dated 23.12.2013 respectively insofar as demolition and reconstruction is concerned and the consequential proceedings of the 2nd respondent in

NA.KA.No.29/2014/A2 dated 30.01.2014 and NA.KA.No.29/2014/A2 dated 04.03.2014, quash the same and direct the 2nd respondent to extend the lease for shop Nos.1 to 11 in vacant land line shops for further period of three years from 01.04.2014 to 31.03.2017 as per the provisions of G.O.Ms.No.92 dated 3.7.2007 and Letter Lr.No.8655/Na.Ne4(2)/09-1 dated 12.03.2009 or in the alternative direct the respondents to re-allot the shops to the petitioners after reconstruction as per PWD rates.

The petitioners in W.P.No.8866 of 2014 have filed the writ petition to issue Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in Resolution No.248 and 249 / 2013 dated 23.12.2013 respectively insofar as demolition and reconstruction is concerned and the consequential proceedings of the 2nd respondent in NA.KA.No.29/2014/A2 dated 30.01.2014 and NA.KA.No.29/2014/A2 dated 04.03.2014, quash the same and direct the 2nd respondent to extend the lease for shop Nos.1 to 3 in Old Market Shops and Shop Nos.1 to 5 in New Market Shops for a further period of three years from 01.04.2015 to 31.03.2018 as per the provisions of G.O.Ms.No.92 dated 3.7.2007 and Letter Lr.No.8655/Na.Ne4(2)/09-1 dated 12.03.2009 or in the alternative direct the respondents to re-allot the shops to the petitioners after reconstruction as per PWD rates.

2. The learned counsel for the petitioners submitted a letter to the Registry dated 04.02.2016 for listing the above writ petitions under the caption "for withdrawal". He has also made an endorsement to that effect.

3. In view of the endorsement made by the learned counsel for the petitioner, both the writ petition are dismissed as withdrawn. No costs. Consequently, connected MPs are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sr

1. The Secretary to Government,
State of Tamil Nadu
Municipal Administration & Water
Supply Department, Fort St. George,
Chennai
2. Executive Officer,
Nambiyur Town Panchayat,
Nambiyur Gobichettipalayam Taluk,
Erode District
3. The President,
Nambiyur Town Panchayat,
Nambiyur,
Gobichettipalayam Taluk,
Erode District

+ 2 ccs to Mr.S. Ravee Kumar, Advocate Sr 8432 (8/3/16)

W.P.Nos.8865 & 8866 of 2014

RSK(CO)
EU 17.02.16

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