

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
W.P.Nos. 15053; 15075; 15076, 15181 &
15182; 15188 to 15192 ; 15199; 15200;
15227; 15228 & 15242 to 15245 of 2012 &
14950 to 14952 of 2012

N.Tlhiruvanukarasu	.. Petitioner	W.P.No.15053	of 2012
Thirumallesha	.. Petitioner	W.P.No.15075	of 2012
Abdul Aathiq	.. Petitioner	W.P.No.15076	of 2012
Sheik Mohamed	.. Petitioner	W.P.No.15181	of 2012
Fairoz khan	.. Petitioner	W.P.No.15182	of 2012
Gowrishankar	.. Petitioner	W.P.No.15188	of 2012
Salim khan	.. Petitioner	W.P.No.15189	of 2012
V. Rajkiran	.. Petitioner	W.P.No.15190	of 2012
Anandan	.. Petitioner	W.P.No.15191	of 2012
Muralidharan	.. Petitioner	W.P.No.15192	of 2012
Sri Lakshmi	.. Petitioner	W.P.No.15199	of 2012
Narayanasamy	.. Petitioner	W.P.No.15200	of 2012
Syed Salim	.. Petitioner	W.P.No.15227	of 2012
A. Shanu	.. Petitioner	W.P.No.15228	of 2012
Umadevi	.. Petitioner	W.P.No.15242	of 2012
Rahamatullah Khan @ Rahamat	.. Petitioner	W.P.No.15243	of 2012
Mohamed Afsal Basha	.. Petitioner	W.P.No.15244	of 2012
Mumtaz Begum	.. Petitioner	W.P.No.15245	of 2012
A. Mohammed Ismail	.. Petitioner	W.P.No.14950	of 2012
Mohammed Asgar Basha	.. Petitioner	W.P.No.14951	of 2012
Waheeda Yasmin	.. Petitioner	W.P.No.14952	of 2012

Versus

- 1.The Secretary to Government of Tamil Nadu
Municipal Administration and Water Supply Dept.,
Fort st.Goerge, Chennai 600 009.R1 in all WPs
- 2.The Commissioner
Hosur Municipality
Hosur.R2 in WPs 15075, 15076, 15181,
15182, 15188 to 15192, 15199, 15200,
15227, 15228, 15242 to 15245/12
R1 in WPs 14950 to 14952 of 2012
- 3.The Executive Officer
Selection Grade Town Panchayat
Mathigiri, Hosur Taluk
Krishnagiri District. .. R3 in all Wps

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records relating to the impugned notice issued by the second respondent in Na.Ka.No.0587/2012/A3 dated 18.05.2012 and quash the same and consequently direct the respondents not to bring Shop No.13,4,9,7,21,16, 10, 8, 19, 6,5, 11, 20, 18, 1, 22, 17, 3 respectively in Mathigiri Bus Stand, Hosur Taluk, Krishnagiri District for public auction till the period of lease granted to the petitioner expires. (in W.Ps.15075, 15076, 15181, 15182, 15188 to 15192, 15199, 15200, 15227, 15228, 15242 to 15245/12)

Writ or order of direction in the nature of a writ and by the like nature to call for the records pertaining to the order bearing ROC.NO.0587/2012/A3 dated 18.5.2012 by the respondent herein and quash the same in so far it relates to shop No.12,15, & 14 respectively of Mathagiri Bus stand run by the petitioner (in W.P.Nos.14950 to 14952/12)

For Petitioners : Mr.V.Rajamohan (in W.Ps.15075, 15076, 15181, 15182, 15188 to 15192, 15199, 15200, 15227, 15228 & 15242 to 15245/12

MR.V. Sudhakar (in W.Ps.14950 to 14952/12

For Respondents : Mr.R.Rajeswaran - R1
Special Government Pleader
Mr.N.Subbarayalu - R2 & R3
in WPs.15075, 15076, 15181, 15182, 15188 to 15192, 15199, 15200, 15227, 15228 & 15242 to 15245/12
Mr.B. Anand: in WPs.14950 to 14952/12

C O M M O N O R D E R

Heard Mr.V.Rajamohan, learned counsel appearing for the petitioners, Mr.R.Rajeswaran, the learned Special Government Pleader appearing for the first respondent and Mr.N.Subbarayalu, learned counsel appearing for the respondents 2 & 3 and with the consent of the learned counsel on either side, the Writ Petitions are taken up for final disposal.

2.It is not in dispute that the period for which the impugned Notification had been issued by the respondent / Municipality had already expired on 15.06.2014 and the lease came to an end by 20.04.2014. Therefore, the challenge to the impugned proceedings have become infructuous.

3. Accordingly, the Writ Petitions are dismissed. So far as the auction in respect of subsequent period, it is always open to the respondent/Municipality to proceed in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

- 1.The Secretary to Government of Tamil Nadu
Municipal Administration and Water Supply Dept.,
Fort st.Goerge, Chennai 600 009.
- 2.The Commissioner
Hosur Municipality
Hosur.
- 3.The Executive Officer
Selection Grade Town Panchayat
Mathigiri, Hosur Taluk
Krishnagiri District.

1 cc to Government Pleader, Sr. 22482

1 cc to Mr.N. Subbarayalu, Advocate, Sr. 22056

W.P.Nos. 15053; 15075;
15076, 15181 & 15182;
5188 to 15192 ; 15199;
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14950 to 14952 of 2012

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