



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2016

CORAM:

**THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HON'BLE MR.JUSTICE S.S.SUNDAR**

W.P. (MD) No.1789 of 2015

Jeyachandra Devar

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Thirumangalam Municipality,
Thirumangalam, Madurai District.

3.The Chairman,
Municipal Council,
Thirumangalam Municipality,
Madurai District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to use the vacant place situated in front of the Thirumangalam Bus-Stand for bus passengers, general public and free flow of traffic instead of constructing shopping complex at there.

For Petitioner : Mr.R.Murugappan

For Respondent-1 : Mr.A.K.Baskarapandian
Special Govt.Pleader

For Respondent-2 : Mr.K.Chellapandian,
Addl.Advocate General
Assisted by
Mr.D.Muruganandam
Addl.Govt.Pleader

For Respondent-3 : Mr.A.L.Ganthimathi

**ORDER**

(Order of this Court was made by S.S.SUNDAR, J.)

WEB COPY This Writ Petition has been filed for issuance of a Writ of Mandamus, directing respondents 1 & 2, to use the vacant place situated in front of the Thirumangalam Bus-stand for bus passengers, general public and free flow of traffic, instead of constructing shopping complex at there.

2. We have already disposed of another Writ Petition in W.P.(MD)No.9096 of 2015 with directions. The admitted fact is that new shops 18 in numbers are proposed to be constructed in the same place wherein 10 shops were in existence. Since the building was in a dilapidated condition, Thirumangalam Municipality has passed a Resolution, to demolish the existing building and to construct all the new shops, 18 in numbers, in the same place, to augment its income. We are not inclined to interfere with the policy decision of the localbody, especially, when the petitioner is not pointed out any valid reasons for preventing the construction of new shops to serve any public interest. In that view of the matter, the Writ Petition is dismissed. However, there is no order as to costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1.The District Collector, Madurai District, Madurai.

2.The Commissioner, Thirumangalam Municipality,
Thirumangalam, Madurai District.

3.The Chairman, Municipal Council,
Thirumangalam Municipality, Madurai District.

+1 cc to M/s.A.L.Gandhimathi, Advocate in SR.No.25232/16

+1 cc to M/s.R.Vijayakumar, Advocate in SR.No.25705/16

+1 cc to M/s.R.Murugappan, Advocate in SR.No.25803/16

MPK

CSL/PEK/SAR-I/02.06.2016 :2P/7C

W.P. (MD) No.1789 of 2015

29.04.2016