



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
WP(MD.Nos.1058 to 1064 of 2016
and
WMP (MD) Nos.873,875,877,879,881,
883,885,874,876,878,880,882,
884 and 886 of 2016

M.ADAM .. PETITIONER in WP(MD).No.1058/2016
M.Naina Mohammed Sikkandar .. PETITIONER in WP(MD).No.1059/2016
R.Arumugam .. PETITIONER in WP(MD).No.1060/2016
V.Arumugam .. PETITIONER in WP(MD).No.1061/2016
Mustan .. PETITIONER in WP(MD).No.1062/2016
R.Petchimuthu .. PETITIONER in WP(MD).No.1063/2016
N.M.Ahmed Aboobacker .. PETITIONER in WP(MD).No.1064/2016

Vs.

THE COMMISSIONER,
TIRUNELVELI CORPORATION,
TIRUNELVELI. .. 1st Respondent in all writ petitions
P.M.MOHAMMED ISMAIL .. 2nd Respondent in W.P.(MD).1058/2016
P.A.SHAHUL HAMMED .. 2nd Respondent in W.P.(MD).1059/2016
K.M.MEERAN MOHIDEEN .. 2nd Respondent in W.P.(MD).1060/2016
BIMA .. 3rd Respondent in W.P.(MD).1060/2016
BIMA .. 2nd Respondent in W.P.(MD).Nos.
1063 & 1064/2016

(R2 IS IMPLEADED VIDE COURT
ORDER DT.29/03/16 IN
WMP(MD)Nos.5444,5445,5254,
5447 and 5448/16 BY BRJ and
R3 is impleaded vide Court
order dated 29.03.2016 in
WMP(MD).No.5446/2016 in
W.P(MD).No.1060/2016 by BRJ)

Common Prayer for W.P.(MD).Nos.1058 to 1064 of 2016:

These Writ Petitions have been filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for records relating to the impugned Notification issued by the first respondent in his proceeding in Va. Aanai.No.529/2015 Sa.Ma.Tho.A.Tili. dated 31.12.2015 and quash the same as illegal and consequently forbear the respondents from in any way interfering with the petitioners right to carry on trade of selling fish in their respective shops in Melapalayam Fish Market,Tirunelveli.

FOR PETITIONERS: No Appearance in all petitions

FOR RESPONDENTS: Mr.Aayiram K Selvakumar
for R1 in all petitions

O R D E R

These writ petitions have been filed challenging the impugned eviction notice, dated 31.12.2015.

2. The petitioners in all these writ petitions challenge the eviction notice dated 31.12.2015, directing them to remove the articles and other belongings kept by them.

3. When the matters were taken up for hearing today, there is no appearance for the petitioners. Therefore, in the light of the Notification No.103/JUDL/2016, dated 04.07.2016, of this Court, which is given as under, the matters were taken up for hearing.

"Notification No.103/JUDL/2016

It is informed that the cases listed in the daily Cause list will be taken up for hearing without any adjournment. If there is no representation, such cases will be decided on merits."

4. However, Mr.Aayiram K Selvakumar, learned Government Advocate, submitted that the petitioners have no locus standi to challenge the eviction notice directing them to remove their belongings, since they have not taken part in the auction held on 21.01.2016 to issue License for the shops in question. When the petitioners did not take part in the auction held on 21.01.2016, after the auction was held and successful bidder was selected to the petitioners' shop, they cannot question the consequential order to vacate the premises, further, no one has appeared for the petitioners. Hence, there is no point in entertaining these writ petitions.



5. In view of the above, all writ petitions are dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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/True Copy/

Sub Assistant Registrar (CS)

To
THE COMMISSIONER,
TIRUNELVELI CORPORATION,
TIRUNELVELI.

+1cc to M/s.Ajmal Associates, Sr.No.35125

pjl

JM/NGM-MP/SAR-III/15.07.2016/3P-3C

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