



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD) .Nos.11301 to 11306 of 2016
and
WMP (MD) Nos.8653 to 8664 of 2016

NAINA MOHAMMED SIKKANDAR .. PETITIONER in WP(MD) .No.11301/2016
M.ADHAM .. PETITIONER in WP(MD) .No.11302/2016
R.ARUMUGAM .. PETITIONER in WP(MD) .No.11303/2016
V.ARUMUGAM .. PETITIONER in WP(MD) .No.11304/2016
R.PETCHIMUTHU .. PETITIONER in WP(MD) .No.11305/2016
N.M.AHAMED ABUBAKKER .. PETITIONER in WP(MD) .No.11306/2016

Vs

1.THE COMMISSIONER
TIRUNELVELI CORPORATION,
TIRUNELVELI. .. 1st Respondent in all writ petitions
2.THE ASSISTANT COMMISSIONER
TIRUNELVELI CORPORATION,
TIRUNELVELI. .. 2nd Respondent in all writ petitions
3.THE ASSISTANT REVENUE OFFICER
MELAPALAYAM,
TIRUNELVELI CORPORATION,
TIRUNELVELI. .. 3rd Respondent in all writ petitions
M.Beema .. 4th Respondent in W.P.(MD).11303/2016
O.A.Ajmal Khan .. 4th Respondent in W.P.(MD) .11304/2016
M.Beema .. 4th Respondent in
W.P.(MD) Nos.11305 & 11306/2016



Common Prayer for W.P.(MD).Nos.11301 to 11306 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 the records relating to the Impugned order in Na.Ka.No.A1-447-2016 on the file of 2nd Respondent in all writ petitions, dated 07.06.2016 and quash the same 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 to R3 in all petitions

O R D E R

These writ petitions have been filed challenging the impugned eviction notice, dated 07.06.2016.

2. The petitioners in all these writ petitions challenge the eviction notice dated 07.06.2016, 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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Sub Assistant Registrar (CS)

To

1. THE COMMISSIONER
TIRUNELVELI CORPORATION,
TIRUNELVELI.
2. THE ASSISTANT COMMISSIONER
TIRUNELVELI CORPORATION,
TIRUNELVELI.
3. THE ASSISTANT REVENUE OFFICER
MELAPALAYAM,
TIRUNELVELI CORPORATION,
TIRUNELVELI.

+1cc to Mr.H.Arumugam, Advocate, Sr.No.34890

pjl

JM/NGM-MP/SAR-III/15.07.2016/3P-5C

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