



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.08.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.(MD) No.6666 of 2011&
M.P.(MD).No.1 of 2011

Madurai Malar Vaniga Commission Viyaparigal Nala Sangam,
Rep. by its Secretary, Mattuthavani Bus Stand,
Madurai-7.

... Petitioner

vs.

1. The Director of Town & Country Planning,
No.807, Annasalai,
Chennai-2.
2. The Deputy Director of Town & Country Planning,
Madurai.
3. The Commissioner,
Madurai Corporation, Madurai.
4. The Commissioner,
Tamilnadu Agricultural Marketing and
Agricultural Trade Department,
Thiru.Ve.Ka. Industrial Estate,
Spipet Road, Chennai.
5. The Secretary,
Madurai Market Committee,
No.145-A Anna Nagar,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents 1 to 3 to forbear the respondents 4 and 5 from converting the space earmarked for Two-Wheeler & Cycle parking slot into any other purpose and consequentially to prevent the respondents 4 and 5 from constructing shops in the said space earmarked for two-wheelers and cycle parking slot.

For Petitioner

: Mrs.Agalya for
M/s.M.Ajmal Associates

For Respondents

: Mr.M.Murugan for R1, R2 and R4
Government Advocate
Mr.K.Mahendran for R5
: No appearance for R3.

**ORDER**

The petitioner has filed this Writ Petition for issuance of a Writ of mandamus directing the Madurai Market Committee, Madurai, not to convert the space earmarked for two wheelers and cycle parking for any other purpose.

2. Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1, 2 and 4, and the learned standing counsel for Madurai Market Committee.

3. The Secretary, Madurai Market Committee, Madurai, in his counter affidavit has submitted that there is a proposal to construct additional shops to cater to the needs of the flower vendors pursuant to the order passed by this Court in W.P.No.8742 of 2005, dated 16.11.2005. According to the Secretary, alternative parking place would be provided to the traders in the back side of the 'L' Block having an area of 697 Sq.Mt. and on the western side corner of 'N' Block with an area of 804 Sq.Mt. It is also stated that in front of 'J' Block also parking place would be provided with an area of 145 Sq.Mt.

4. The petitioner has come with this Writ Petition with an apprehension that there is a proposal to covert the parking area for a different purpose. The Madurai Market Committee, made it clear that the proposal to construct additional shops was pursuant to the order of this Court, dated 16.11.2005, in W.P.No.8742 of 2005. The Madurai Market Committee, agreed to provide alternative space for parking two wheelers and cycles.

5. In view of the counter affidavit filed by the fifth respondent indicating the factual position, there is no basis for the apprehension raised by the petitioner.

6. The Writ Petition is disposed of with the above observation. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar



To

1. The Director of Town & Country Planning,
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Chennai-2.

2. The Deputy Director of Town & Country Planning,
Madurai.

3. The Commissioner,
Madurai Corporation, Madurai.

4. The Commissioner,
Tamilnadu Agricultural Marketing and
Agricultural Trade Department,
Thiru.Ve.Ka. Industrial Estate,
Spipet Road, Chennai.

+ 1 CC TO M/S.AJMAL ASSOCIATES, ADVOCATE IN SR No. 48570

+ 1 CC TO MR.K.MAHENDRAN, ADVOCATE IN SR No. 48227

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 48602

JIKR

TE/PV : 19/09/2016 : 3P/8C

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and
M.P. (MD) .No.1 of 2011
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