

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.02.2017

Coram:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.17992 of 2003

Ekambarampillai

.... Petitioner

vs.

Trichirappalli City Municipal
Corporation, rep.by Commissioner,
Promande Road,
Trichy 1

....Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus calling for the records of the proceedings pertaining to the Notification in Na.Ka.No.A1/2530/2002, dated 9.6.2003, of the respondent published in Government Gazette, Tiruchi District, dated 11.6.2003, and quash the same and consequently forbear the respondent from conducting auction without demarcating the area for passage for having ingress and egress to the shop situated hin Diamond Jubilee Park in so far as the petitioner is concerned.

For Petitioner : Mr.R.Devaraj

For Respondent : Mr.P.Srinivas

ORDER

The petitioner is a wholesale dealer and is having a godown in Diamond Jubilee Park that belongs to the Corporation of Trichy. It is the grievance of the petitioner that the Corporation of Trichy has issued a Notification, dated 9.6.2003, published in the Trichy Gazette, on 11.6.2003, calling for tender-cum-auction, for establishing night vegetable vendor shops, without demarcating the boundaries as that would impede free ingress and egress of goods movements of those like the petitioner, who are having wholesale godown there.

2. At the time of admission, no interim orders in favour of the petitioner was granted. However, the interim stay petition, W.P.M.P.22460 of 2003, was dismissed by this Court, on 08.08.2003, as follows:-

"The learned counsel states that in view of the subsequent auction held after filing of the writ petition, this WPMP No.22460 of 2003 is dismissed as infructuous."

From the above, it is clear that the earlier Notification, dated 9.6.2003, published on 11.06.2003 has been superseded by a subsequent Notification.

3. In the light of the above, this writ petition is dismissed, as infructuous with liberty to the petitioner to work out the remedies in the manner known to law, if the grievance still subsists. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner,
Trichirappalli City Municipal
Corporation, rep.by Commissioner,
Promande Road,
Trichy 1

pvs (co)
krd 17/2

W.P.No.17992 of 2003

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