



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2017

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. [MD] .No.1136 of 2016

and

C.M.P. (MD) .No.7064 of 2016

1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

2.The Assistant Commissioner,
Palayamkottai Zone,
Tirunelveli City Municipal Corporation,
Tirunelveli.

: Appellants

Vs.

1.M.Jayaprakash Narayanan
2.R.Velmurugan
3.D.Ponraj Devaasirvatham
4.Nathan R.Moses
5.S.Anantharaj

: Respondents

[R-2 to R-5 impleaded vide order dated 10.01.2017 made in C.M.P(MD).
No.7570 of 2016 and CMP(MD) No.7574/2016]

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent
against the order dated 01.07.2016 made in W.P.(MD).No.11690 of
2016, on the file of this Court.

Prayer in WP(MD). 11690/ 2016 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a Writ of
Certiorarified Mandamus call for the records pertaining to the
impugned order passed by the 2nd respondent in Na.Ka.No. 003/A1/2016
dated 20.06.2016 and quash the same and directing respondents not to
interfere with the day to day affairs of the petitioner as per lease
renewed in favour of the petitioner in Na.Ka.No. A1/0003/2016 dated
02.02.2016 in respect of Maharajanagar Corporation Thirumana
Mandapam, Thirunelveli.

For Appellant

: Mr.Aayiram K.Selvakumar
Government Advocate

For Respondent No.1

: Mr.T.Selvan

For Respondent Nos.2 to5

: Mr.G.Prabhu Rajadurai

**JUDGMENT**

[Judgment of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.Aayiram K.Selvakumar, learned Government Advocate appearing for the appellants, Mr.T.Selvan, learned counsel appearing for the first respondent and Mr.G.Prabhu Rajadurai, learned counsel appearing for the respondents 2 to 5.

2. This Writ Appeal has been filed by the Commissioner of Tirunelveli City Municipal Corporation and another challenging the order dated 01.07.2016 made in W.P.(MD).No.11690 of 2016. The operative portion of the order reads as follows:

"5. In view of the submission made by the learned Government Advocate, this Court directs the respondents to maintain status-quo till the decision is taken by the Corporation on the claim of the petitioner.

6. Demand Draft for the refixed lease amount taken by the petitioner could not be accepted by the respondents, till a decision is taken by the Corporation. However, the legal contentions made by the parties shall be kept open.

3.The learned Government Advocate appearing for the appellants submitted that pursuant to the above direction, final decision has been taken by the Corporation Council and a resolution has been passed, which is impugned in other Writ Petition.

4.In the light of the subsequent development, this Writ Appeal stands disposed of, by recording the submission made by the learned Government Advocate appearing for the appellants. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The Commissioner,
Tirunelveli City Municipal Corporation, Tirunelveli.
 - 2.The Assistant Commissioner, Palayamkottai Zone,
Tirunelveli City Municipal Corporation, Tirunelveli.
- +1 CC to M/s.AAYIRAM K.SELVAKUMAR, Advocate, SR No. 51684
+1 CC to M/s.AR.JEYARHUTHRAN, Advocate, SR No. 51691

NB

PSM/SV-MMS/20.04.2017/2P/5C