



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

Writ Petition (MD) No.319 of 2017
and
WMP(MD)Nos.213 to 215 of 2017

P. Periyamayan

... Petitioner

Vs.

1.THE STATE OF TAMILNADU represented by
The Secretary to Government,
Department of Municipal Administration and
Water Supply, Secretariat, Chennai-9.

2.THE DISTRICT COLLECTOR,
Madurai District, Collectorate, Madurai.

3.MADURAI CORPORATION
Represented by the Commissioner,
Madurai Corporation, Madurai.

4.THE DEPUTY COMMISSIONER OF POLICE,
Madurai City Traffic Police, Madurai.

5.MADURAI PAZHACOMMISSION
VANIKARKAL SANGAM,
represented by its secretary,
Registration No.31/82,
North Marat Street, Madurai.

6.SIMMAKKAL PAZHAKKADAI MOTHA
VIYABARIGAL SANGAM,
Represented by its Secretary,
North Masi Street, Madurai

... Respondents.

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus call for the impugned Resolution No.378 dated 17.05.2013 passed by the 3rd Respondent and impugned Memorandum of Understanding dated 17.04.2015 entered by the 3rd Respondent with 5th, 6th Respondents and quash the same and consequently directing the Respondents to allot shops to the Petitioner and other members of 'Madurai Yanaikkal Anaithu Viyabarigal Nalasangam' bearing register No.109/2003 by adopting



fair method of allotment on considering our representations dated 08.11.2011, 23.04.2015, 13.12.2016.

For petitioner : Mr.R.Narayanan
For R3 : Mr. S.N.Shanmuga Selvam
For R5 & R6 : Mr.N.Ilango

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O R D E R

This writ petition has been filed seeking for issuance of Certiorarified Mandamus calling for the impugned Resolution No.378 dated 17.05.2013 passed by the 3rd Respondent and impugned Memorandum of Understanding dated 17.04.2015 entered by the 3rd Respondent with 5th, 6th Respondents and quash the same and consequently directing the Respondents to allot shops to the Petitioner and other members of 'Madurai Yanaikkal Anaithu Viyabarigal Nalasangam' bearing register No.109/2003 by adopting fair method of allotment on considering their representations dated 08.11.2011, 23.04.2015 and 13.12.2016.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the third respondent and the learned counsel appearing for the respondents 5 and 6.

3. The learned counsel appearing for the respondents 5 and 6 submitted that the issue raised in this writ petition is squarely covered by the decision passed by the Hon'ble Division Bench of this Court in W.P. (MD) Nos. 16217, 22960 and 24461 of 2016 dated 02.04.2017(In D.Thangapandi and others Vs. The State of Tamil Nadu rep. By its Principal Secretary to Government, Department of Municipal Administration and Water Supply, Chennai - 9 and others).

4.The learned counsel appearing for the respondents drew attention of this court to the order passed by the Hon'ble Division Bench of this Court. Since the issue raised in this writ petition is squarely covered by the abovesaid decision of the Hon'ble Division Bench of this Court, this Court cannot adjudicate the issue any further.

5. In such view of the matter, this writ petition is dismissed. No costs. Consequently, connected W.M.P.(MD) Nos.213 to 215 of 2017 are also dismissed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar



To

1. THE SECRETARY TO GOVERNMENT,
THE STATE OF TAMILNADU
DEPARTMENT OF MUNICIPAL ADMINISTRATION AND WATER SUPPLY,
SECRETARIAT, CHENNAI-9.

2. THE DISTRICT COLLECTOR,
MADURAI DISTRICT, COLLECTORATE,
MADURAI.

3. THE COMMISSIONER,
MADURAI CORPORATION, MADURAI.

4. THE DEPUTY COMMISSIONER OF POLICE,
MADURAI CITY TRAFFIC POLICE, MADURAI.

+1CC to M/S.N.Tamil Mani, Advocate, SR.No. 50441

+1CC to M/S.R.Narayanan, Advocate, SR.No. 50165

+1CC to M/S.N.Shanmuga Selvam, Advocate, SR.No. 50166

Writ Petition (MD) No.319 of 2017

and

WMP (MD) NOS.213 to 215 of 2017

05.04.2017

CM

AM/SKN RSK/SAR-4/06.04.2017/3P/8C