



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.8263 of 2013

and

M.P(MD)No.1 of 2013

WEB COPY

M.Ponnusamy

.. Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Madurai - 625 020.

2. The Market Superintendent, Division - II,
Integrated Mattuthavani Bus Stand,
Madurai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from taking any action based on the order of the first respondent made in Ma.Va.3/002432/2013 dated 03.05.2013 pending expiry of appeal time from the date of receipt of order made in WP(MD)No.4760/2013 dated 04.04.2013 on the file of this Court.

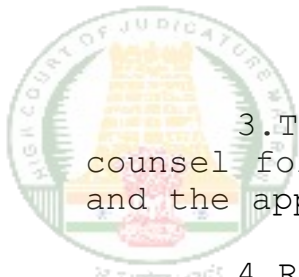
For Petitioner : Mr.N.Sundareshan

For Respondents : Mr.J.Gunaseelan Muthaiah,
Government Advocate.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents not to take any action based on the order of the first respondent made in Ma.Va.3/002432/2013 dated 03.05.2013 pending expiry of appeal time from the date of receipt of order made in W.P(MD)No.4760/2013, dated 04.04.2013.

2.The case of the petitioner is that Shop No.41 in Mattuthavani Bus Stand, Madurai has been leased out to him. For extension of the lease, he submitted an application to the first respondent. As the first respondent did not reply, he filed a writ petition in W.P(MD)No.4760 of 2013 seeking to direct the first respondent to consider the said representation and the same was dismissed. Due to non-availability of the order made in the writ petition, he could not file an appeal. Now, the respondents are trying to evict him from the shop. Therefore, the petitioner is before this Court.



3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner is no more and the appeal filed by the petitioner is pending.

4. Recording the same, this writ petition is disposed of, giving liberty to take the legal heirs of the petitioner in the appeal. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai Corporation,
Madurai - 625 020.
2. The Market Superintendent,
Division - II,
Integrated Mattuthavani Bus Stand,
Madurai.

+1cc to Mr.N.Sundareshan, Advocate Sr.No.69466
+1cc to Mr.J.Gunaseelan Muthaiah, Advocate SR.No.69264

SMN

VB/MR/KKR/SAR3/10/08/2017/2P/5C

ORDER MADE IN
W.P(MD)No.8263 of 2013
and
M.P(MD)No.1 of 2013
01.08.2017