

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY
W.A.Nos.1572 to 1585 of 2018
and
C.M.P.Nos.12650 to 12677 of 2018

KANNAPPAN	...	PETITIONER	in	WA	No.1572	of	2018
S.JEBASINGH	...	PETITIONER	in	WA	No.1573	of	2018
CHANDRASEKARAN	...	PETITIONER	in	WA	No.1574	of	2018
CHANDRASEKARAN	...	PETITIONER	in	WA	No.1574	of	2018
RAJASEKAR	...	PETITIONER	in	WA	No.1575	of	2018
SAMPATHKUMAR	...	PETITIONER	in	WA	No.1576	of	2018
SUGUMAR	...	PETITIONER	in	WA	No.1577	of	2018
T.MOHAN	...	PETITIONER	in	WA	No.1578	of	2018
T.RAJENDRAN	...	PETITIONER	in	WA	No.1579	of	2018
S.K.PANNERSELVAM	...	PETITIONER	in	WA	No.1580	of	2018
K.PUNITHA	...	PETITIONER	in	WA	No.1581	of	2018
A.K.GANESAN	...	PETITIONER	in	WA	No.1582	of	2018
AJANTHA	...	PETITIONER	in	WA	No.1583	of	2018
AJANTHA	...	PETITIONER	in	WA	No.1584	of	2018
G. MANIYAN	...	PETITIONER	in	WA	No.1585	of	2018

Vs

1.The Assistant Director for Town Panchayat,
O/o. of the Directorate of Town Panchayats,
Coimbatore.

2.The Executive Officer,
Sulur Town Panchayat,
Sulur, Coimbatore District. ... Respondents

PRAYER :

Writ Appeal as against the order passed in W.P.No.12690
to 12694 of 2018 and WP.12695 TO 12704 of 2018 dated 04.07.2018.

WP No.12690 to 12694 of 2018

Writ Petitions filed Under Article 226 of the
Constitution of India praying for issuance of a writ of
Certiorarified Mandamus to calling for the records of the
impugned order passed by the 2nd respondent in ref.No.Na.Ka.No.
150/2018/E dated 10.04.2018 and quash the same as illegal and
suffers from non application of mind and consequently to permit

the petitioner to run the shop bearing Shop No. 1 to 5 (facing South) at Sular Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2020
WP No.12695 of 2018

calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No. 6 (facing South) at Sular Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2020

WP No.12696 of 2018
calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No. 9 (facing South) at Sular Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2020

WP No.12697 of 2018
calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No.16 (facing North) at Sular Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2020

WP No.12698 of 2018
calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 16.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop at Sular Bus Stand Commercial Complex Inner side South-North Street, Eastern part building and the shop is facing north, Coimbatore till the expiry of the lease period 31.03.2020

WP No.12699 of 2018
calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop at vacant portion at the western side of Sular Bus Stand, Coimbatore till the expiry of the lease period 31.03.2020

WP No.12700 of 2018

calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No.11 (facing South) at Sulur Bus Stand, Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2019

WP No.12701 of 2018

calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No. 12 (facing North) at Sulur Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2019

WP No.12702 of 2018

calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No. 19 (facing North) at Sulur Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2019

WP No.12703 of 2018

calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as the same is illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the shop bearing Shop No. 20 (facing North) at Sulur Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2019

WP No.12704 of 2018

calling for the records of the impugned order passed by the 2nd respondent in ref.No.Na.Ka.No. 150/2018/E dated 10.04.2018 and quash the same as the same is illegal and suffers from non application of mind and consequently direct the respondents to permit the petitioner to run the Staircase Shop at Sulur Bus Stand Commercial Complex, Coimbatore till the expiry of the lease period 31.03.2019

For Appellants : Mr.R.Archana

For Respondents : Mr.V.Vijay Shankar

J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

The matters have been adjourned only to enable the appellants to get instruction as to the time required by the appellants to vacate the premises, since this Court already felt that there is no merit in the appeals filed by the appellants.

2.When the matters are called today, the learned counsel for the appellants would submit that the Executive Officer of Sulur Panchayat agreed to grant two months time to vacate the premises, If the appellants are ready to withdraw the Appeals. The said statement is recorded.

3.However, Mr.V.Vijay Shankar, learned counsel for the respondents would contend that he has got no instruction about the understanding reached between the appellants and the Executive Officer.

4.Since the appellants only seek permission to withdraw the appeals on the ground that two months' time is alleged to have been granted by the Executive Officer and the learned counsel for the appellants has also made an endorsement to permit him to withdraw the appeals, these appeals are liable to be dismissed as withdrawn.

5.It is open to Mr.V.Vijay Shankar, learned counsel for the respondents, to mention this matter if there is no such arrangement or even if there is an arrangement, the appellants do not vacate the premises and the time granted by the Executive Officer expires, this Court will pass appropriate orders.

Accordingly, these Writ Appeals are dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sai

To

1.The Assistant Director for Town Panchayat,
O/o. of the Directorate of Town Panchayats,
Coimbatore.

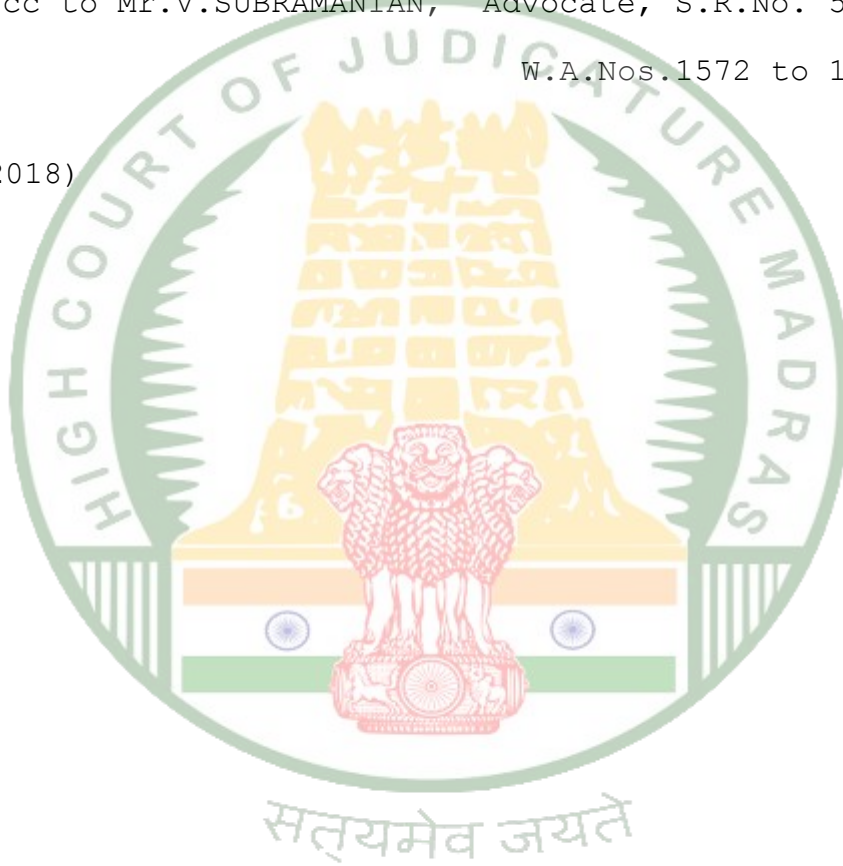
2.The Executive Officer,
Sulur Town Panchayat,
Sulur, Coimbatore District.

+1cc to Mr.V.VIJAYSHANKAR, Advocate, S.R.No.53297

+1cc to Mr.V.SUBRAMANIAN, Advocate, S.R.No. 52101

W.A.Nos.1572 to 1585 of 2018

KAN(CO)
TR(31/08/2018)



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