

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.Nos.23309 to 23317 of 2013

and

M.P.Nos.1 of 2013 (9 M.Ps.,)

and 2 of 2013(9 M.Ps.,)

V.Nambirajan .. Petitioner in W.P.No.23309 of 2013
K. Bashir .. Petitioner in W.P.No.23310 of 2013
S. Jothi ... Petitioner in W.P.No.23311 of 2013
M. Subbaiyan .. Petitioner in W.P.No.23312 of 2013
G. Venkatesan .. Petitioner in W.P.No.23313 of 2013
T. Sekar .. Petitioner in W.P.No.23314 of 2013
M. Gunasekaran .. Petitioner in W.P.No.23315 of 2013
M. Munaf .. Petitioner in W.P.No.23316 of 2013
R. Sithaiyan .. Petitioner in W.P.No.23317 of 2013

Versus

The Commissioner,
Salem Corporation,
Salem. .. Respondent in all the Petitions

Prayer in W.P.Nos.23309 to 23317/2013: These Writ Petitions are filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, to call for the records relating to the impugned order in Na.Ka.No.K1/300/2010, dated 22.07.2013 issued by the respondent and quash the same.

For Petitioner : Mr.R.N.Amarnath
(in all W.Ps)

For Respondents : Mr.P.H.Arvinth Pandian
Additional Advocate General
assisted by Mrs.K.Bhuvaneswari
Standing counsel
(in all W.Ps)

C O M M O N O R D E R

These writ petitions have been filed challenging the order of the respondent dated 22.07.2013, in and by which, the open space allotted to the petitioners were cancelled.

2. Heard Mr.R.N.Amarnath, learned counsel for the petitioners, Mr.P.H.Arvinth Pandian, learned Additional Advocate General Assisted by Mrs.K.Bhuvaneswari, learned Standing counsel for the respondent and perused the materials available on record.

3. Indisputably, the petitioners are the licensees for the shops constructed at Suramangalam New Bus Stand in Salem and they have been allotted open space in front of their shops by the respondent in the year 2005. The allotment of open space was cancelled by the impugned order to facilitate the need of the bus passengers and to maintain the area in a hygienic condition.

4. It is contended by the learned counsel for the petitioners that the impugned orders came to be passed to accommodate third parties and if the reasons assigned are genuine, the area shall not be leased out to the third parties.

5. The learned Additional Advocate General on instructions from the Revenue Inspector(Mr.V.Tamilmani), Salem Corporation, who is present before this Court, submitted that the lease period had already expired and the respondent has proposal to bring all the shops for auction and the open space will not be allotted to third parties.

6. Taking note of the above submissions, I find no error in the orders impugned in these Writ Petitions. In the result, the Writ Petitions fail and they are dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

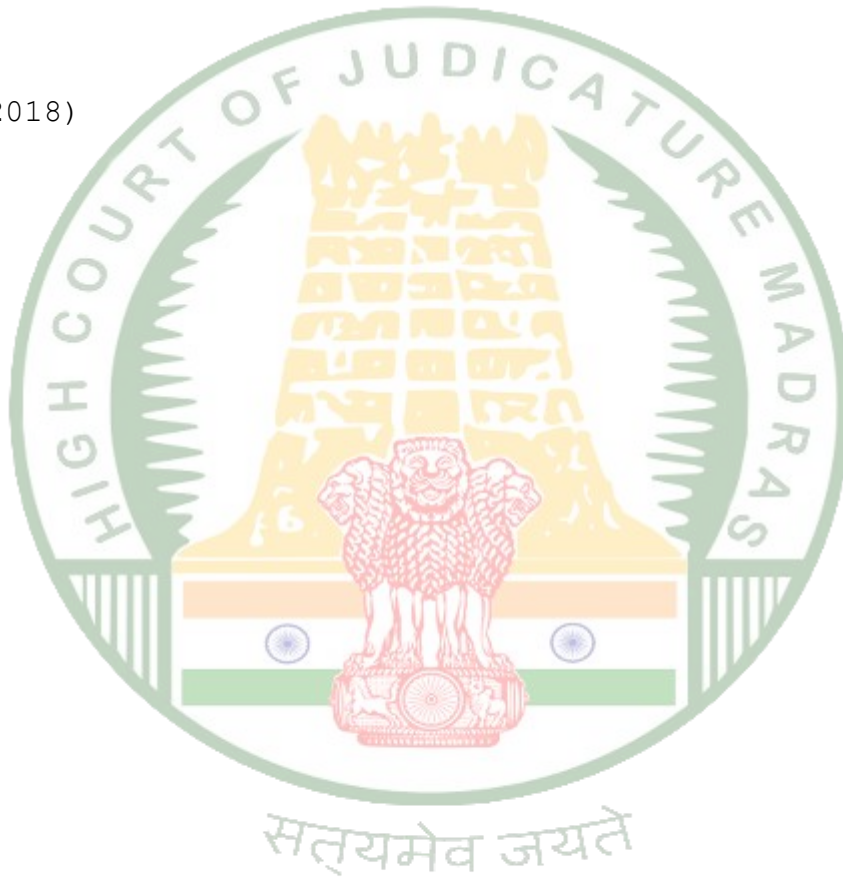
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To
The Commissioner,
Salem Corporation,
Salem.

+8 Ccs to Mr.R.N.Amarnath, Advocate sr 43934.

W.P.Nos.23309 to 23317 of 2013
and
M.P.Nos.1 of 2013 (9 M.Ps.,)
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NRL (CO)
SP (19/07/2018)



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