

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.11.2018

CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 27891 of 2018
and
W.M.P. 32434 of 2018

S.Jaganathan

... Petitioner

Vs

The Commissioner,
Corporation of Coimbatore,
Coimbatore.

.. Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 27.09.2018 to allot one shop i.e. Shop No.1, Corporation Shopping Complex, Opposite to turning point of Vadavalli Bus Stand, Vadavalli, Coimbatore-41 as 1st preference.

For Petitioner : Mr.G.Ramadurai

For Respondent : Mr.S.Saravanan,
Standing Counsel

O R D E R

This Writ Petition has been filed seeking for a direction to the respondent to allot a shop in the Corporation Shopping Complex, at Vadavalli Bus Stand, Coimbatore.

2. According to the petitioner, he was a lessee in respect of shop situated at Vadavalli Bus Stand belongs to Vadavalli Town Panchayat. Subsequently, the Vadavalli Town Panchayat has been taken over by the respondent Corporation, and the shop, in which the petitioner was in occupation has been demolished, and they have put up the shops therein. Subsequently, the respondent had called for tender cum public auction for leasing out all those shops. Since the petitioner was the original lessee in the erstwhile shops, now he has made a representation dated 27.09.2018 to the respondent to allot a shop to him. But, it was not considered by the respondent. Hence, he has filed the present Writ Petition.

3. Earlier, notice was ordered to the respondent. Today, Mr.S.Saravanan, learned standing counsel appearing for the respondent submitted that the now the auction has been conducted, and all the shops were leased out. The lessees have taken possession of the shops, and they have also occupied the shops.

4. On considering the fact that already, auction has been conducted and the shops were leased out, the prayer sought by the petitioner cannot be granted at this stage. Apart from that, the petitioner, being a erstwhile lessee has no vested right seeking for allotment of shop after the old shops being demolished and new shops were constructed therein.

5. In the result, the Writ Petition stands dismissed. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rpp

To

The Commissioner,
Corporation of Coimbatore,
Coimbatore.

+1cc to Mr.S.Saravanan, Advocate, S.R.No.79759
+1cc to Mr.G.Ramadurai, Advocate, S.R.No.79466
+1cc to the Government Pleader, S.R.No.80506

सत्यमेव जयते

W.P. 27891 of 2018

VGII(CO)

RRS 05/02/2019

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