



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P.(MD)Nos.281 to 287 and 289 of 2018
and
W.M.P.(MD)Nos.297 to 310, 313 and 314 of 2018

S.M.HAMEED SULTHAN	... PETITIONER in WP(MD) No.281 of 2018
N.KUMARESON	... PETITIONER in WP(MD) No.282 of 2018
N.RAJKUMAR	... PETITIONER in WP(MD) No.283 of 2018
NOORUL HIDAYAH	... PETITIONER in WP(MD) No.284 of 2018
MOHAMED ALI	... PETITIONER in WP(MD) No.285 of 2018
N.RAMESH	... PETITIONER in WP(MD) No.286 of 2018
RAFEEL AHAMED	... PETITIONER in WP(MD) No.287 of 2018
R.ANBAZHAGAN	... PETITIONER in WP(MD) No.289 of 2018

VS

THE COMMISSIONER
NAGERCOIL MUNICIPALITY,
NAGERCOIL - 629 001

... RESPONDENT in ALL CASES

Prayer in WP(MD)No. 281/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News paper, Nagercoil Edition, dated 28.12.2017, and to quash the same, in so far as the Shop No.15 (Upstair), 16 & 17, Nainar Commercial Complex, Ground floor, N.M.C.Bulding, T.V.M. Road, Vadasery, Nagercoil - 629 003, are concerned, and directing the respondent to renew the lease in respect of Shop Nos. 15(Upstairs), 16 & 17,



Prayer in WP(MD)No. 282/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News paper, Nagercoil Edition, dated 28.12.2017, and to quash the same, in so far as the Shop No.22/461-A, In Front of Market, Balamore Road, Vadasery, Nagercoil - 629 001, are concerned and directing the respondent to renew the lease in respect of Shop No.22/461-A, In Front of Market, Balamore Road, Vadasery, Nagercoil - 629 001....

Prayer in WP(MD)No. 283/ 2018 :

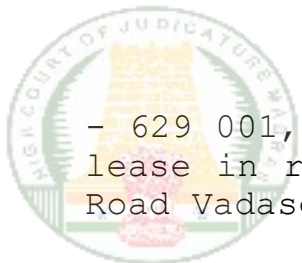
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News Paper Nagerkoil Edition, dt.28/12/2017, and to quash the same, in so far as the shop Nos.22/468 & 22/468-A, in front of Market, Balamore Road, Vadasey, Nagerkoil-629 001, is concerned, and directing the respondent to renew the lease in respect of Shop Nos.22/468 & 22/468-A, in front of Market, Balamore Road, Vadasery, Nagerkoil-629 001, Kanyakumari District, in terms of G.O.No.92 Municipal Administration and Drinking Water supply (N.N.4) Department, dated 03/07/2007, with effect from 01/04/2018.....

Prayer in WP(MD)No. 284/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News paper, Nagercoil Edition, dated 28.12.2017, and to quash the same, in so far as the Shop No.22/467-A, In Front of Market, Balamore Road, Vadasery, Nagercoil - 629 001, are concerned and directing the respondent to renew the lease in respect of Shop No.22/467-A In Front of Market, Balamore Road, Vadasery, Nagercoil - 629 001....

Prayer in WP(MD)No. 285/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News paper, Nagercoil Edition, dated 28.12.2017, and to quash the same, in so far as the Shop No.22/459, in front of Market, Balamore Road, Vadasery, Nagercoil



- 629 001, is concerned, and directing the respondent to renew the lease in respect of Shop No. 22/459, in front of Market, Balamore Road Vadasery, Nagarcoil - 629 001,

Prayer in WP(MD)No. 286/ 2018 :

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Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News paper, Nagercoil Edition, dated 28.12.2017, and to quash the same, in so far as the Shop No.22/460, In Front of Market, Balamore Road, Vadasery, Nagercoil - 629 001, are concerned and directing the respondent to renew the lease in respect of Shop No.22/460, In Front of Market, Balamore Road, Vadasery, Nagercoil - 629 001....

Prayer in WP(MD)No. 287/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News Paper Nagerkoil Edition, dt.28/12/2017, and to quash the same, in so far as the shop Nos.22/470-A&B, in front of Market, Balamore Road, Vadasey, Nagerkoil-629 001, is concerned, and directing the respondent to renew the lease in respect of Shop Nos.22/470-A&B in front of Market, Balamore Road, Vadasery, Nagerkoil-629 001, Kanyakumari District, in terms of G.O.No.92 Municipal Administration and Drinking Water supply (N.N.4) Department, dated 03/07/2007, with effect from 01/04/2018.....

Prayer in WP(MD)No. 289/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the notice in Na.Ka.No.7841/2017/A13, published by the respondent in one issue of Dhina Malar News paper, Nagercoil Edition, dated 28.12.2017, and to quash the same, in so far as the Shop No.1, Nainar Commercial Complex, Ground Floor, N.M.C.Bulding T.V.M.Road, Vadasery, Nagercoil - 629 003, is concerned, and directing respondent to renew the lease in respect of Shop No. 1 Nainar Commercial Complex, Ground Floor, N.M.C. Building

For Petitioner
(in all cases)

: Mr.Subbiah,
Senior Counsel
for N.Subramanian

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondent
(in all cases)

: Mr.P.Athimoolapandian,
Standing counsel

**ORDER**

This batch of Writ Petition has been filed challenging the auction notice issued by the Nagercoil Municipality calling for public auction to lease out the shops.

2. When the matter is taken up for hearing, today, the learned counsel appearing for the respondent submitted that all the shops are de-notified from the public auction.

3. In view of the fact that the shops are already de-notified, from conducting auction the petitioners need not challenge the above notification. Hence, these Writ Petitions are disposed of. However, it is open to the petitioners to challenge any such notification issued in respect of the above said shops in future. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

The Commissioner,
Nagercoil Municipality,
Nagercoil-629 001.

+1cc to Mr.N.Subramanian, Advocate Sr.No.42230

TA

VB/KK/SAR2/20.02.2018/4P/3C

W.P. (MD) Nos. 281 to 287 and 289 of 2018
11.01.2018