



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) Nos. 4154, 4155, 4156, 4157, 4158, 4199, 4377, 4512, 4513,
4514, 4515, 4562 and 4563 of 2019

and

W.M.P. (MD) Nos. 3254, 3255, 3256, 3257, 3258, 3259, 3260, 3261, 3262,
3263, 3322, 3323, 3482, 3483, 3589, 3590, 3591, 3592, 3593, 3594,
3595, 3648, 3649, 3650 and 3651 of 2019

SALIYA BEEVI,	... Petitioner in WP(MD). 4154/ 2019
SULAIKA BEEVI,	... Petitioner in WP(MD). 4155/ 2019
R.DHARMALINGAM,	... Petitioner in WP(MD). 4156/ 2019
PAVAR SINGAM,	... Petitioner in WP(MD). 4157/ 2019
SHAHUL HAMEED,	... Petitioner in WP(MD). 4158/ 2019
MOSES RAJASEKARAN,	... Petitioner in WP(MD). 4199/ 2019

- 1 GANESAN
- 2 THIRUMENI
- 3 HARIDOSS
- 4 MURUGAN
- 5 RAMASUBRAMANIAN
- 6 RANGASAMY
- 7 MRS. J.GNANASELVAM
- 8 M.RAJKUMAR
- 9 DURAIRAJ
- 10 CHRISTOPHER NIRMAL
- 11 JEYARAJ



12 ILAYARAJA
13 SIVAGNANAM
14 SARASWATHI

... Petitioners in WP(MD). 4377/ 2019

N.ABUBAKKAR

... Petitioner in WP(MD). 4512/ 2019

E.KRISHNAPILLAI,

... Petitioner in WP(MD). 4513/ 2019

E.KRISHNAPILLAI,

... Petitioner in WP(MD). 4514/ 2019

C.MOHAN PARTHASARATHY

... Petitioner in WP(MD). 4515/ 2019

T.SIVADAS,

... Petitioner in WP(MD). 4562/ 2019

M.RABI,

... Petitioner in WP(MD). 4563/ 2019

- Vs. -

THE EXECUTIVE OFFICER,

PALLATHUR TOWN PANCHAYAT, SIVAGANGAI DT.

... Respondent in WP(MD). 4154, 4155, 4156, 4157, 4158 OF 2019

1 THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.

2 THE ASSISTANT DIRECTOR
TOWN PANCHAYAT, TIRUNELVELI DISTRICT, TIRUNELVELI.

3 THE EXECUTIVE OFFICER
TOWN PANCHAYAT, PANAGUDI POST,
RADHAPURAM TALUK, TIRUNELVELI DISTRICT.

... Respondents in WP(MD). 4199/ 2019

1 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY,
DEPT. OF MUNICIPAL ADMINISTRATION AND WATER SUPPLY
(NANI4), FORT ST.GEORGE, CHENNAI-9



2 THE ASSISTANT DIRECTOR

(PANCHAYAT), TIRUNELVELI, TIRUNELVELI DISTRICT

3 THE EXECUTIVE OFFICER

SPECIAL GRADE TOWN PANCHAYAT,

PANAGUDI, TIRUNELVELI DISTRICT.

... Respondents in WP(MD). 4377/ 2019

THE EXECUTIVE OFFICER

EZHUDESAM TOWN PANCHAYAT,

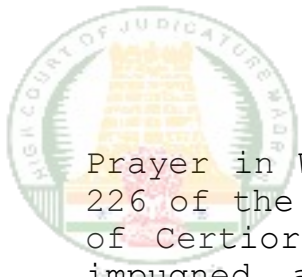
VILAVANCODE TK, KANAYAKUMARI DT.

... Respondents in WP(MD). 4512, 4513, 4514, 4515, 4562, 4563 of 2019

Prayer in WP(MD). 4154/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus call for the records pertaining to the impugned auction notice dated 07/02/2019 of the respondent in Na.Ka.No.105/2019/A2 in respect of Shop.No.4 in the respondent town Panchayat bus stand (west), Pallathur, Sivagangai District and quash the same and consequently direct the respondent to renew the license of the petitioner for shop.no.4 in the respondent town panchayat bus stand (west) Pallathur, Sivagangai District by considering the petitioner's representation dated: 18/02/2019.

Prayer in WP(MD). 4155/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, call for the records pertaining to the impugned auction notice dated 07.02.2019 of the respondent in Na.Ka.No.105/2019/A2 in respect of shop no.5 in the respondent town Panchayat bus stand(west), Pallathur, Sivagangai Dist and quash the same and consequently direct the respondent to renew the license of the petitioner for shop no.5 in the respondent town Panchayat bus stand(west), Pallathur, Sivagangai Dist by considering the petitioners representation dated 18.02.2019.

Prayer in WP(MD). 4156/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, call for the records pertaining to the impugned auction notice dated 07.02.2019 of the respondent in Na.Ka.No.105/2019/A2 in respect of shop no.6 in the respondent town Panchayat bus stand (west), Pallathur, Sivagangai Dist and quash the same and consequently direct the respondent to renew the license of the petitioner for shop no.6 in the respondent town Panchayat bus stand (west) Pallathur, Sivagangai Dist by considering the petitioner's representation dated 18.02.2019.



Prayer in WP(MD). 4157/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus call for the records pertaining to the impugned auction notice dated 07/02/2019 of the respondent in Na.Ka.No.105/2019/A2 in respect of Shop.No.7 in the respondent town Panchayat bus stand (west), Pallathur, Sivagangai District and quash the same and consequently direct the respondent to renew the license of the petitioner for shop.no.7 in the respondent town panchayat bus stand (west) Pallathur, Sivagangai District by considering the petitioner's representation dated: 18/02/2019.

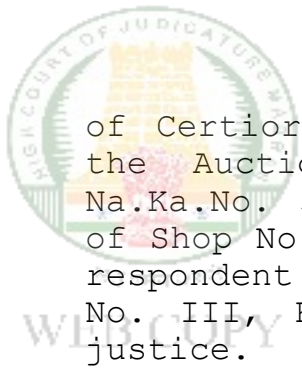
Prayer in WP(MD). 4158/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, call for the records pertaining to the impugned auction notice dated 07.02.2019 of the respondent in Na.Ka.No.105/2019/A2 in respect of shop no.1 in vacant land in Pallathur Bus Stand Main Road, Pallathur, Sivagangai Dist and quash the same and consequently direct the respondent to renew the license of the petitioner for shop no.1 in vacant land in Pallathur Bus stand Main Road, Pallathur, Sivagangai Dist by considering the petitioners representation dated 18.02.2019.

Prayer in WP(MD). 4199/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned auction notice passed by the 3rd respondent in his proceedings in Na.Ka.No.14/2019 dated 06.02.2019, and quash the same as illegal and consequently directing the respondents to permit the petitioner to continue his business in the building bearing Door No.4, belonging to Town Panchayat, Panagudi, Tirunelveli District as tenant of the same after receiving enhanced rent of 15% from existing

Prayer in WP(MD). 4377/ 2019 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the impugned order dated 06.02.2019 made in Na,Ka.No. 14/2019 passed by the 3rd respondent and subsequently quash the same as illegal, arbitrary and devoid of merits.

Prayer in WP(MD). 4512/ 2019 : 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 pertaining to the Auction/Tender Advertisement Notice of the Respondent in Na.Ka.No. 36/2019 dated 15.02.2019 and quash the same with respect of Shop No. IV of Item 3 of the notice and consequently direct the respondent to renew the lease period in respect of the shop bearing No. IV, Kanjapuram Market, Kanyakumari District and thus render justice.

Prayer in WP(MD). 4513/ 2019 : 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 pertaining to the Auction/Tender Advertisement Notice of the Respondent in Na.Ka.No. 36/2019 dated 15.02.2019 and quash the same with respect of Shop No. III of Item 3 of the notice and consequently direct the respondent to renew the lease period in respect of the shop bearing No. III, Kanjapuram Market, Kanyakumari District and thus render justice.

Prayer in WP(MD). 4514/ 2019 : 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 pertaining to the Auction/Tender Advertisement Notice of the Respondent in Na.Ka.No. 36/2019 dated 15.02.2019 and quash the same with respect of Shop No. V of Item 3 of the notice and consequently direct the respondent to renew the lease period in respect of the shop bearing No. V, Kanjapuram Market, Kanyakumari District and thus render justice.

Prayer in WP(MD). 4515/ 2019 : 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 pertaining to the Auction/Tender Advertisement Notice of the Respondent in Na.Ka.No. 36/2019 dated 15.02.2019 and quash the same with respect of Shop No. II of Item 3 of the notice and consequently direct the respondent to renew the lease period in respect of the shop bearing No. II, Kanjapuram Market, Kanyakumari District and thus render justice.

Prayer in WP(MD). 4562/ 2019 : 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 pertaining to the Auction / Tender Advertisement Notice of the Respondent in Na.Ka.No.36/2019 dated 15.02.2019 and quash the same with respect of shop no.1 of Item 3 of the notice and consequently direct the respondent to renew the lease period in respect of the shop bearing no.1, kanjapuram market, Kanyakumari dist.

Prayer in WP(MD). 4563/ 2019 : 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 pertaining to the Auction / Tender Advertisement Notice of the Respondent in Na.Ka.No.36/2019 dated 15.02.2019 and quash the same with respect of shop no.VI of Item 3 of the notice and consequently direct the respondent to renew the lease period in respect of the shop bearing no.VI, kanjapuram market, Kanyakumari dist.

For Petitioner

: Mr.J.Anand Kumar

For Respondent

: Mr.M.Rajarajan
Government Advocate

**COMMON ORDER**

The notification impugned in these writ petitions has already been withdrawn. Therefore, nothing survives for further adjudication in these writ petitions. These Writ Petitions are closed. No costs. Consequently, connected miscellaneous are closed.

SD
ASSISTANT REGISTRAR (CO)

TRUE COPY

SUB ASSISTANT REGISTRAR

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To:

- 1 THE EXECUTIVE OFFICER,
PALLATHUR TOWN PANCHAYAT, SIVAGANGAI DT.
- 2 THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.
- 3 THE ASSISTANT DIRECTOR
TOWN PANCHAYAT, TIRUNELVELI DISTRICT, TIRUNELVELI.
- 4 THE EXECUTIVE OFFICER
TOWN PANCHAYAT, PANAGUDI POST,
RADHAPURAM TALUK, TIRUNELVELI DISTRICT.
- 5 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY,
DEPT. OF MUNICIPAL ADMINISTRATION AND WATER SUPPLY
(NANI4), FORT ST.GEORGE, CHENNAI-9
- 6 THE ASSISTANT DIRECTOR
(PANCHAYAT), TIRUNELVELI, TIRUNELVELI DISTRICT
- 7 THE EXECUTIVE OFFICER
SPECIAL GRADE TOWN PANCHAYAT,
PANAGUDI, TIRUNELVELI DISTRICT.



8 THE EXECUTIVE OFFICER
EZHUDESAM TOWN PANCHAYAT,
VILAVANCODE TK, KANAYAKUMARI DT.

WEB COPY

1CC TO MR. J. ANAND KUMAR, ADVOCATE SR 54906
1CC TO MR. S. PALANIVELAYUTHAM, ADVOCATE SR 55083
1CC TO THE SPL GOVT PLEADER SR 54643 AND 54644

**W.P. (MD) Nos. 4154, 4155, 4156, 4157, 4158, 4199,
4377, 4512, 4513, 4514, 4515, 4562 and 4563 of 2019**

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