



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.17675 of 2019

and

W.M.P. (MD) .No.14148 of 2019

WEB COPY

V.Zahir Hussain

... Petitioner

vs.

1.Tirunelveli City Municipal Corporation,
rep. by its Commissioner,
Tirunelveli District.

2.The Assistant Commissioner
Tachanallur Division,
Tirunelveli Municipal Corporation
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order made by the 2nd respondent in Na.Ka.No.A1/6377/2018 dated 01.08.2019 and quash the same as illegal and consequently forbear the respondents from evicting the petitioner without providing alternative site for relocation of shops.

For Petitioner : Mr.M.Mahaboob Athiff
for M/s.Ajmal Assocaites

For Respondent : Mr.Ayiram K.Selvakumar
Addl. Govt. Pleader

O R D E R

Mr.Ayiram K.Selvakumar, learned Additional Government Pleader takes notice on behalf of the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner has filed an affidavit of undertaking that he will vacate and hand over peaceful possession of the shop to the respondent, on or before 03.11.2019 on completion of Deepavali.

4.Therefore, taking the said affidavit of undertaking on record, a direction is given to the petitioner to surrender vacant possession of the shop to the respondent on or before 03.11.2019. Insofar as the request for alternative accommodation is concerned,



it is open to the petitioner to submit his representation to the respondents. In the event of receiving such representation, the respondents shall consider the same in accordance with law.

5. With the above observation, the writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

6. Post the matter on 04.11.2019 for 'reporting compliance'.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To:

1. The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli District.

2. The Assistant Commissioner
Tachanallur Division,
Tirunelveli Municipal Corporation
Tirunelveli District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate SR-89196.

+1 CC to M/s.AAYIRAM K. SELVAKUMAR, Advocate SR-89686.

W.P. (MD) No.17675 of 2019

24.09.2019

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