



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.09.2019
CORAM:**

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.18375 and 18403 of 2019

and

W.M.P. (MD) .Nos.14790 and 14819 of 2019

W.P. (MD) .No.18375/2019

S.R.Durai Raj

... 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 Certiorarified Mandamus, to call for the records on the file of the 2nd respondent pertaining to its order bearing Na.Ka.No.A1/6377/2018 dated 01.8.2019 and to quash the same and consequently forbearing the respondents from evicting the petitioner from Shop No.37 without providing alternative site for relocation of Shop by considering the representation of the petitioner dated 06.8.2019.

W.P. (MD) .No.18403/2019

Katheeja Beevi

... Petitioner

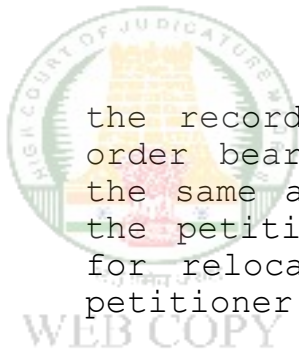
vs.

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 Certiorarified Mandamus, to call for



the records on the file of the 2nd respondent pertaining to its order bearing Na.Ka.No.A1/6377/2018 dated 14.08.2019 and to quash the same and consequently forbearing the respondents from evicting the petitioner from shop no.13 without providing alternative site for relocation of shop by considering the representation of the petitioner dated 14.08.2019.

In both W.Ps:

For Petitioner : Mr.S.C.Herold Singh
For Respondent : Mr.Ayiram K.Selvakumar
Addl. Govt. Pleader

O R D E R

Mr.Ayiram K.Selvakumar, learned 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 petitioners in both writ petitions filed affidavits of undertaking that they will vacate and hand over vacant possession of the respective shops to the respondent, after Deepavali.

4.Therefore, taking the said affidavits of undertaking on record, a direction is given to the petitioners to surrender vacant possession of the respective shops to the respondent on or before 03.11.2019. Insofar as the request for alternative accommodation is concerned, it is open to the petitioners to submit their representations to the respondents. In the event of receiving such representations, the respondents shall consider the same in accordance with law.

5.With the above observation, the writ petitions are ordered accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

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

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



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

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+2 CC to Mr.AAYIRAM K.SELVAKUMAR, Advocate SR-89771&89778

W.P(MD) No.18375 and 18403 of 2019
24.09.2019

vs

MK (14.10.2019) 3P 5C