



WEB COPY

W.P(MD)No.21896 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.21896 of 2019

C.Sivanesan

.. Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Municipality Commissioner,
Oddanchathiram, Dindigul,
Dindigul District.

3.The Revenue Inspector,
Oddanchathiram Taluk,
Dindigul District.

4.The Village Administrative Officer,
Naganampatti, Oddanchathiram Taluk,
Dindigul District.

5.The Secretary,
Department of Agricultural Marketing,
Dindigul Marketing Committee,
Dindigul District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to open the newly constructed agricultural product super market near bye-pass road at Naganampatti, Oddanchatram Taluk, Dindigul District for the benefit of farmers and vegetable vendors instead of abandoned and keep it in idle on the basis of representation dated 28.08.2019.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.M.Murugan

Government Advocate

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.T.Indrachithu, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate, appearing for the respondents. By consent on either side, this writ petition

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is taken up for final disposal.

2. The petitioner seeks direction upon the respondents to open the newly constructed agricultural product regulated market near bye-pass road at Naganampatti, Oddanchatram Taluk, Dindigul District. Though the market was fully constructed in the year 2008, pursuant to a sum of more than Rs.3 Crores being sanctioned, the political people and traders are preventing the market from being opened.

3. Only in the year 2018, effective steps were taken and the Government has passed an order in G.O.Ms.No.21, Agricultural (AM3) Department, dated 28.01.2019, appointing a steering committee. Further proceedings have taken place and as on date 100 shops have been allotted to the traders and they are permitted to deposit the amount and the market is declared to be opened on 03.11.2019.

4. In the light of the above facts placed before this Court by the learned Government Advocate along with connected records, we dispose of this writ petition by directing the fifth respondent to open the market on **03.11.2019**. It is made clear that there shall be no interference by the Commissioner of the Ottanchathiram Municipality or any other individual or body of individuals. If there is any unlawful interference for discharging the duties of the Market committee, we empower the Secretary to lodge a police complaint against all those persons, who object to the opening of the Market and if the complaint is made, the Superintendent of Police, Dindigul District shall immediately take appropriate legal action against the persons, who prevent the officials from discharging their official duties.

5. We observe that the fifth respondent shall take effective steps to maintain the market in excellent and hygienic condition, so that better state of facilities can be given to the traders and market members of Ottanchathiram Market as an example to other regulated markets in the State of Tamil Nadu. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The District Collector,
Dindigul District, Dindigul.

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2.The Municipality Commissioner,
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Dindigul District.

4.The Village Administrative Officer,
Naganampatti, Oddanchathiram Taluk,
Dindigul District.

5.The Secretary,
Department of Agricultural Marketing,
Dindigul Marketing Committee,
Dindigul District.

6.The Superintendent of Police,
Dindigul District.

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-92567[F] dated
17/10/2019)

+1 CC to M/s.SPL GP (SR-93102[F] dated 18/10/2019)

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