



WEB COPY

W.P. (MD) Nos.22356, 22363 to 22365 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) Nos.22356, 22363 to 22365 of 2019

and W.M.P. (MD) Nos.19130 & 19131 of 2019 in W.P. (MD) No.22356 of 2019

and W.M.P. (MD) Nos.19137 & 19139 of 2019 in W.P. (MD) No.22363 of 2019

and W.M.P. (MD) Nos.19142 of 2019 in W.P. (MD) No.22364 of 2019  
and W.M.P. (MD) Nos.19143 & 19144 of 2019 in W.P. (MD) No.22365 of 2019

S.Dharmaraj ... Petitioner in W.P. (MD)  
No.22356/2019

B.Kamaraj ... Petitioner in W.P. (MD)  
No.22363/2019

T.Govindarajan ... Petitioner in W.P. (MD)  
No.22364/2019

S.Prakash ... Petitioner in W.P. (MD)  
No.22365/2019

-vs-

1.The Tanjore Corporation,  
Rep. by its Commissioner,  
Aringar Anna Arangam,  
RMH Road,  
Tanjore District.

2.The Managing Director,  
O/o. The Managing Director,  
Tanjore Smart City Ltd.,  
Corporation Building Aringar Anna Arangam,  
RMH Road,  
Tanjore District.

3.The Commissioner of Archeaology,  
The Department of Archeology,

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



Tamil Valarchi Valagam,  
Halls Road,  
Chennai.

4.The District Archaeological Officer,  
O/o. The District Archeological Officer,  
The Department of Archeology,  
East Raja Veedhi,  
Sarja Maadi,  
Tanjore District - 613 001.

5.The Director of Town and Country Planning,  
O/o/. the Director of Town and Country Planning,  
807, Anna Salai,  
Chennai - 02.

... Respondents in all the Wps.

**PRAYER in W.P. (MD) No.21356 of 2019:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.9287/2019/MCA5 dated 29.07.2019 on the file of the Respondent No.1 and quash the same as illegal and consequently forbearing the respondents 1 and 2 from evicting the petitioners from their respective shops in Block "1 to 15" Shop No. 11, at Kamaraj Market, Vadakuajaram, Tanjore District without following due process of law and without providing alternative shops until the completion of smart city project and without resorting to public auction.

**Prayer in WP(MD) . 22363/ 2019 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To call for the records pertaining to the impugned order in Na.Ka.No.9287/2019/MCA5 dated 29.07.2019 on the file of the respondent No.1 and quash the same as illegal and consequently forbearing the respondents 1 and 2 from evicting the petitioner from their respective shops in Block F2 Shop No.8 at Kamaraj market, Vadkuajaram, Tanjore District without following the due process of law and without providing alternative shops until the completion of smart city project consequently direct the respondents 1 and 2 to re-induct the petitioners after the completion of the Smart City Project without resorting to public auction.

**Prayer in WP(MD) . 22364/ 2019 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Forbearing the respondents 1 and 2 from evicting the petitioner from their respective shops in Block 1 to 15 Shop No.10, at Kamaraj market, Vadkuajaram, Tanjore Dt without following the due process of law and without providing alternative shops until the completion of smart city project and consequently direct the respondents 1 and 2 to re-induct the



petitioners after the completion of the Smart City Project without resorting to public auction.

**Prayer in WP(MD) . 22365/ 2019 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To call for the records pertaining to the impugned order in Na.Ka.No.9287/2019/MCA5 dated 29.07.2019 on the file of the respondent No.1 and quash the same as illegal and consequently forbearing the respondents 1 and 2 from evicting the petitioner from their respective shops in Block F2 Shop No.4 at Kamaraj market, Vadkujaram, Tanjore District without following the due process of law and without providing alternative shops until the completion of smart city project consequently direct the respondents 1 and 2 to re-induct the petitioners after the completion of the Smart City Project without resorting to public auction.

|                                |   |                                                       |
|--------------------------------|---|-------------------------------------------------------|
| For Petitioner                 | : | Mr.T.Lajapathi Roy                                    |
| For Respondents 1 and 2        | : | Mr.N.Dilipkumar<br>Standing Counsel                   |
| For Respondents 3 and 4        | : | Mr.I.Irulappan<br>Central Government Standing Counsel |
| For 5 <sup>th</sup> Respondent | : | Mr.A.K.Baskara Pandian<br>Special Government Pleader  |

**COMMON ORDER**

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

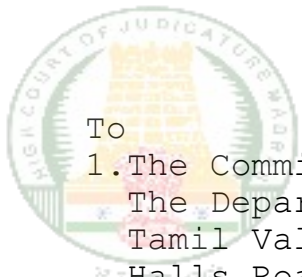
These Writ Petitions are disposed of on the same lines of the orders passed in W.P.(MD) No.22356 of 2019 etc., batch and the directions issued therein, as applicable to the category of persons who are similarly placed as that of the present Writ Petitioners, are equally applicable to the present Writ Petitions. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)



To

- 1.The Commissioner of Archeology,  
The Department of Archeology,  
Tamil Valarchi Valagam,  
Halls Road,  
Chennai.
- 2.The District Archeological Officer,  
O/o. The District Archeological Officer,  
The Department of Archeology,  
East Raja Veedhi,  
Sarja Maadi,  
Tanjore District - 613 001.
- 3.The Director of Town and Country Planning,  
O/o. The Director of Town and Country Planning,  
807, Anna Salai,  
Chennai - 02.
- 4.The Commissioner,  
Thanjore Corporation,  
Aringar Anna Arangam, Rmh Road, Tanjore District.
- 5.The Managing Director,  
Tanjore Smart City Ltd.,  
Corporation Building,  
Aringar Anna Arangam,  
Rmh Road, Tanjore District.

+4 cc Mr. T.LAJAPATHI ROY ,Advocate, SR.No. 94215  
+1cc to M/s.Special Government Pleader,SR.No. 94266

Order in  
**W.P. (MD) Nos.22356, 22363 to 22365 of 2019**  
**23.10.2019**

KK/SAR/24.10.2019/4P-11C/