



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD) No. 8762 of 2021

and W.M.P. (MD) No. 6571 of 2021

(Through Video Conferencing)

M.Palani Kumar

: Petitioner

Vs.

1.The Secretary to Government  
Municipal Administration and Water Supply Department  
Fort St. George,  
Secretariat, Chennai 600 009.

2.The Director,  
Directorate of Town Panchayat,  
Urban Administration Building,  
75 Santhome High Road,  
R.A.Puram, Chennai. 600 028.

3.The District Collector  
District Collector Office,  
Madurai 625 020.

4.The Assistant Director,  
Town Panchayats,  
District Collector Office,  
Madurai. 625 020

5.The Executive Officer  
Town Panchayat,  
Solavandan  
Vadipatti Taluk  
Madurai District

: Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents No.1 to 5 to open the newly constructed daily vegetable market building immediately for the public use which is situated at Solavandhan, Vadipatti taluk, Madurai District within a stipulated time that may be fixed by this Court.



For Petitioner : Mr.R.Karunanithi  
For Respondents : Mr.K.Mu.Muthu  
Additional Government Pleader

**ORDER**

**WEB COPY (Order of the Court was made by T.S.SIVAGNANAM, J)**

The petitioner by way of this Public Interest Litigation seeks for a very equitable relief namely to open a newly constructed daily vegetable market building. The building is said to have been constructed by incurring a cost of Rs.1,50,00,000/-. Several traders and members of the public have joined the petitioner M.Palanikumar in submitting the representation to open the market.

2. It is not clear as to why the market has been kept closed. From the photographs, we are able to see that the vegetable vendors are trading in the road margin, which should not be permitted, especially during the present time due to the COVID-19 crisis.

3. The learned Additional Government Pleader, on instructions from the 5<sup>th</sup> respondent, submitted that there are three works, which are pending, namely, the construction of toilets, providing water supply and construction of entrance and road with paver blocks.

4. It is not clear why the town Panchayat is unable to provide a toilet facility with running water facility as well as separate drinking water facility in the market for such a long period. Probably there is some hidden agenda waiting for some VVIPs to come over to inaugurate the market. This, if it is true, is deprecated. The District Collector should immediately take necessary action, instruct the Executive Officer of the Town Panchayat to complete the facilities, provide water supply within three weeks from the date of receipt of a copy of this order. Thereafter, the entrance work and the road work can also be done in phases and the market should be declared open by the Collector during the week commencing 24.05.2021.

5. The Writ Petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

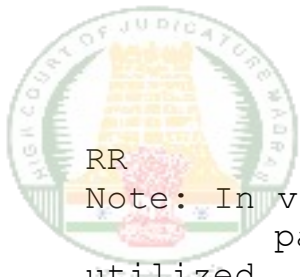
Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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+1 CC to M/s.SPL GP ( SR-18256[F] dated 30/04/2021 )

Order made in  
**W.P. (MD)No.8762 of 2021**  
Dated: 29.04.2021

ES(CO)  
TR(30.04.2021) 3P 7C