



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.18317 of 2021

and

W.M.P(MD)Nos.15143 and 15145 of 2021

Madurai Town Kunnathur Chambaiyan Chathram
Tenants Welfare Association,
Represented by its President,
B.A.Alaudeen.

... Petitioner

Vs.

1.The Madurai Corporation,
Represented by its Commissioner,
Anna Malligai,
Tallakulam,
Madurai - 2.

2.Kunnathur Chambaiyan Chathiram,
Represented by its Hereditary Hugdar,
S.Balasubramanian.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned auction notice dated nil published by the first respondent in their website with regard to the newly constructed shops in Kunnathur Chathiram and quash the same and consequently direct the first respondent to allot the 21 shops facing the East Avani Moola Street and East Chithirai Street in the ground floor to the petitioner's Association members in the new shopping complex in Kunnathur Chambiyan Chathram situate at Door No.86, East Avani Moola Street, Madurai.

For Petitioner : Mr.R.J.Karthick

For R - 1 : Mr.B.Saravanan
Standing Counsel



ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned auction notice, dated nil, published by the first respondent in their website with regard to the newly constructed shops in Kunnathur Chathiram and to quash the same and consequently directing the first respondent to allot 21 shops facing the East Avani Moola Street and East Chithirai Street in the ground floor to the petitioner's Association members in the new shopping complex in Kunnathur Chambiyan Chathram situate at Door No.86, East Avani Moola Street, Madurai.

2.It is the case of the petitioner that the first respondent gave an undertaking in the earlier Writ Petition in W.P(MD)No.5610 of 2006, dated 25.08.2006, to the effect that the tenants in respect of the shops would be allotted shops in the newly constructed shopping complex, after completion of the construction and that contravening the said undertaking, the first respondent has issued a publication calling to conduct auction in respect of the new shops.

3.When the Writ Petition is taken up for hearing, Mr.B.Saravanan, learned Standing Counsel appearing for the first respondent submitted that the first respondent has already taken a decision to allot 21 shops to the erstwhile tenants of the old shopping complex in the new shopping complex and therefore nothing survives for adjudication in the Writ Petition.

4.Mr.R.J.Karthick, learned counsel appearing for the petitioner submitted that in view of the submission made by the learned Standing Counsel appearing for the first respondent, the Writ Petition may be closed.

5.Recording the submission made by the learned Standing Counsel for the first respondent to the effect that the first respondent is going to allot 21 shops to the erstwhile tenants of the old shopping complex in the new shopping complex building, the Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

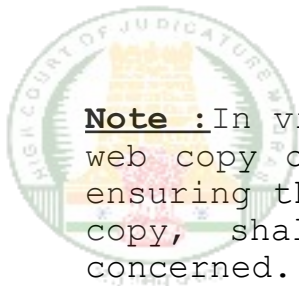
Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

indu/ps



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.

WEB COPY

To

The Commissioner,
Madurai Corporation,
Anna Malligai,
Tallakulam,
Madurai - 2.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-31481[F] dated 07/10/2021)

W.P (MD) No.18317 of 2021
06.10.2021

RD(20.10.2021) 3P 3C