



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.2059 of 2022

G.Sekar

.. Petitioner

Vs.

1. The Director Municipal Administration
Directorate of Municipal Administration
11th Floor, 75, Santhome Road
MRC Nagar, Raja Annamalaipuram
Chennai 600 028.
2. The District Collector
Salem District, Salem 1.
3. The Regional Director of Municipal Administration
Salem Region, Leigh Bazaar Road
Arisipalayam, Salem 636 009.
4. The Commissioner
Attur Municipality
Attur, Salem District
Pin 636 102.
5. A.Manikandan
6. M.Sanjay

.. Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus to direct the respondents to cancel the allotment of shop Nos.2, 3 and 4 for violating the conditions imposed by the Municipality while granting allotment of shop and consequently, to restore the original position of the shops as the shops allotted when the allotment order was given by the Municipality without hindrance to bus exit route and thereby to conduct fresh public auction to the shop Nos.2, 3 and 4.



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For the Petitioner : Mr.G.Ramachandran
For Ms.S.Vinodha

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 3

Mr.L.P.Mauriya
for Respondent-4

Mr.R.Nandhakumar
for Respondents 5 & 6

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

The writ petition has been filed seeking cancellation of the allotment of shop Nos.2 to 4 on the ground of violation of the conditions imposed by the Municipal Administration at the time of allotment of shops.

2. Learned counsel appearing for the Municipal Administration submits that action has already been initiated and that cancellation could take place only after providing a reasonable opportunity of hearing to the parties. But, the matter has not been proceeded with due to the pendency of the writ petition. However, if liberty is granted, the Municipal Administration would proceed with the subject matter.

3. In view of the aforesaid and since learned counsel for the private parties has no objection, this writ petition is disposed of with liberty to the Municipal Administration to proceed with the matter and to pass a speaking order, after providing an opportunity of hearing to the allottees as well as the petitioner. The above exercise shall be completed within four months from today. There will be no order as to costs. WMP No.2211 of 2022 is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kpl



To:

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+1cc to Ms.S.Vinodha, Advocate, S.R.No.39913

+1cc to Mr.R.Nandhakumar, Advocate, S.R.No.40812

W.P.No.2059 of 2022

SR II (CO)
PM/05/07/2022