



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.06.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.3690 of 2012

and

M.P. (MD) Nos.1 of 2012 & 1 of 2013

Salaimathi

... Petitioner

Vs.

1. The State of Tamil Nadu
represented by its Secretary to Government,
Department of Municipal Administration,
Secretariat, Chennai - 600 009.
2. The Commissioner,
Pudukkottai Municipality,
Pudukkottai.
3. The Chairman,
Pudukkottai Municipal Council,
Pudukkottai.
4. The Assistant Electricity Engineer,
TNEB-Pudukkottai East,
Thirumayam Road,
Pudukkottai.
5. Karuppai
6. Geetha
7. Abdul Rahman
8. Ravichandran
9. Kasinathan
10. Kumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent restore the possession of the property in Shop No.2, Thirumayam Road, Pudukkottai, illegally obtained from the petitioner and to direct the first respondent to pass suitable order for taking appropriate departmental action against the Respondents 2,3,5 to 10 and directing the second respondent to pay a sum of Rs.5 Lakhs as damages to the petitioner's properties.



For Petitioner : Mr.Karthikeya Venkitachalapathy
For R1 : Mr.N,Muthuvijayan
Special Government Pleader
For R2 : Mr.B.Birijesh Kishore
For R4 : Mr.S.Deenadhayalan
For R3, R5 to R8 : No appearance

ORDER

The present writ petition has been filed seeking a Mandamus directing the second respondent to restore the possession of the property in Shop No.2, Thirumayam Road, Pudukottai, which was illegally taken over by the authorities. The petitioner has further sought for taking departmental action against some of the respondents.

2. From the affidavit and documents filed along with the writ petition, it is seen that the petitioner is not the original licensee of the second respondent Municipality. Hence, the petitioner has no legal right whatsoever to seek restoration of possession and departmental action as against the Municipality and other authorities.

3. Hence the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

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Sub Assistant Registrar(CS)

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To

1. The Secretary to Government,
State of Tamil Nadu
Department of Municipal Administration,
Secretariat, Chennai - 600 009.



2. The Commissioner,
Pudukkottai Municipality,
Pudukkottai.

3. The Chairman,
Pudukkottai Municipal Council,
Pudukkottai.

4. The Assistant Electricity Engineer,
TNEB-Pudukkottai East,
Thirumayam Road,
Pudukkottai.

Order made in
W.P. (MD) .No.3690 of 2012
10.06.2022

SS (21/06/2022) 3P 5C