



W.P.(MD).Nos.15469 and 16143 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).Nos.15469 and 16143 of 2013 and
M.P.(MD)Nos.1, 1 and 2 of 2013

W.P.(MD).No.15469 of 2013:

A.Selvakumar

... Petitioner

Vs.

1.State represented by through
The District Collector / Chairman,
Local Planning Authority,
Madurai District, Madurai.

2.The Commissioner,
Madurai City Municipal Corporation,
Arinagar Anna Maaligai,
Madurai.

3.K.Panneer Selvi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the 2nd respondent in his impugned order No. Ma.Va.4/019680/13, dated 25.07.2013, and to quash the same as illegal and consequently, to direct the 2nd respondent not to allot any future shop in open space of the



W.P.(MD).Nos.15469 and 16143 of 2013

pathway between the existing shops in the central vegetable market situated at Mattu Thavani, Madurai.

For Petitioner : No appearance

For R1 : Mr.S.Shanmugavel
Additional Government Pleader

For R2 and R3 : No appearance

W.P.(MD).No.16143 of 2013:

A.Selvakumar

... Petitioner

Vs.

1.The Commissioner,
Corporation of Madurai,
Arinagar Annamaligai,
Madurai-20.

2.K.Panneer Selvi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in proceedings challenging the allotment of shop at near the shop No.317 and 35, Mattuthavani Central Vegetables Market, Madurai by ways of proceedings of the 1st respondent in mava4/019680/13, dated nil.07.2013, infavour of 2nd respondent and to quash the same and further, to direct the 1st respondent to restore the pathway area in the Mattuthavani Central Vegetables Market, Madurai.



W.P.(MD).Nos.15469 and 16143 of 2013

For Petitioner : No appearance

For R1 : Mr.R.Murali

For R2 : Mr.R.Gowri Shankar

COMMON ORDER

Both the writ petitions have been filed by one Selvakumar challenging the order passed by the first respondent in both the writ petitions under which the vacant site between two shops was allotted in favour of one Panneer Selvi.

2.According to the contents in the writ petitions, the said vacant site between these two shops is a pathway and the same cannot be allotted in favour of the said Panneer Selvi.

3.The learned Counsel appearing for the respondent Corporation on written instructions submits that the said vacant site was allotted to the Panneer Selvi only as a temporary arrangement. According to the learned Counsel appearing for the respondents the said Panneer Selvi has



W.P.(MD).Nos.15469 and 16143 of 2013

been allotted a different shop in the year 2016 and they have already initiated steps to vacate her from the place in dispute. The said statement is recorded.

4. There is no appearance on the side of the private respondent. In view of the allotment of the new shop, the said Panneer Selvi will not be entitled to continue in the open space between the Shop Nos.317 and 354.

5. With the above said observation, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

19.07.2022

Index : Yes / No
Internet : Yes / No

Tmg

To

The District Collector / Chairman,
Local Planning Authority,
Madurai District, Madurai.

4/5



WEB COPY



W.P.(MD).Nos.15469 and 16143 of 2013

R.VIJAYAKUMAR ,J.

Tmg

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.

Order made in
W.P.(MD).Nos.15469 and 16143 of 2013

19.07.2022