



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.1707 of 2022

and

W.M.P(MD)Nos.1506, 1507 of 2022

K.Murugan

...Petitioner

Vs.

The Commissioner,
Periyakulam Municipality,
Periyakulam, Theni District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notification, dated nil. Reference No.Nil, fixing the date of auction on 28.01.2022 at 11.30 am., and quash the same in so far as Kalyana Mandapam with coconut trees concerned in Sl.No.7 therein, and consequently direct the respondent herein to extend the lease of Kalyana Mandapam with coconut trees for further term of lease on the previous year lease amount.

For Petitioner : Mr.T.Swathi Sankara Wadhanan
For Mr.K.Appadurai

For Respondent : Mr.K.P.Krishnadoss
Standing Counsel

ORDER

The Writ Petition has been filed in the nature of Certiorarified Mandamus, seeking interference with a notification issued by the respondent herein, fixing 28.01.2022, as the date on which auction is to be conducted with respect to cutting down the coconuts from the coconut trees in the Jeyaraj Anna Backiyam Kalyana Mandapam under the control of Periyakulam Municipality.

2.It is stated by Mr.K.P.Krishnadoss, learned Standing Counsel who appears for the respondent/the Commissioner, Periyakulam Municipality, Theni District, that in view of the prevailing code of



conduct, the auction has been postponed and auction would not be conducted on that particular date and a fresh notice would be issued.

3.This statement by the learned Standing Counsel therefore brings a quietus to the Writ Petition, as no orders can be passed with respect to the auction notice. However, before the next auction notice is issued, an obligation is placed on the respondent to pass orders on the representation given by the petitioner on 27.12.2021, seeking extension of the lease to cut down coconuts in the coconut trees from the aforementioned Kalyana Mandapam. After passing necessary orders on the representation of the petitioner herein, necessary steps may be taken in accordance with law relating to cutting of coconuts in the coconut trees in Kalayana Mandapam.

4.With the said observation, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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

The Commissioner,
Periyakulam Municipality,
Periyakulam, Theni District.

+1 CC to M/s.K.APPADURAI, Advocate (SR-3275[F] dated 01/02/2022)

W.P (MD) .No.1707 of 2022
31.01.2022

SR (CO)
TR (14.02.2022) 2P 3C