



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.02.2022
CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

WEB COPY

Writ Petition (MD) No.3365 of 2022
and
W.M.P. (MD) No.2940 of 2022

Madurai Pudhumandapam Viyabarikal and
Thaiyal Thozhilarkal Sangam,
Rep. by its President,
Amman Sannathi,
Madurai - 625 011.

.. Petitioner

Versus

1.The Commissioner,
Hindu Religious and Charitable Endowment
Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai.

2.The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai.

3.The Joint Commissioner cum Executive Officer,
Arul Migu Meenaksi Sundareswarar Temple,
Madurai.

4.The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Ellis Nagar,
Madurai.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 3 and 4 from forcing the members of the petitioner's Association to shift their shops from Pudhumandapam to newly constructed shops in Kunnathur Champion Chathiram without providing electricity connection with basis amenities and consequently, direct the respondents to provide electricity connection to the Kunnathur Champion Chathiram within a stipulated time as fixed by this Court so as to enable the members of the petitioner's association to shift their shops.



For Petitioner : Mr.V.Paneer Selvam
For R1 and R4 : Mr.P.Subbaraj
Special Government Pleader
For R2 : Mr.P.Athimoolapandian
For R3 : Mr.VR.Shanmuganathan

ORDER

After hearing the learned counsel on either side, this Writ Petition is disposed of inasmuch as the respondents have given electricity connection for 14 shops in respect of which, there was a proposal to vacate 14 persons against whom shops have been allotted in the nearby property in Kunnathur Champion Chathiram. It is submitted that the respondents have resorted to cherry picking by asking only few persons to shift out without giving electricity. It is further submitted that all the allottees should be shifted at the same time.

2.The learned counsel for the third respondent submits that pursuant to the decision taken in the Peace Committee meeting, the Corporation of Madurai had taken a decision to built complex for rehabilitating small vendors, who have allowed to operate within the Temple precincts and about 160 shops have been constructed sand the allotment is over.

3.It is submitted that, as of now, electricity connection has been given for 14 shops and as and when the other shops are given electricity connection, others will be asked to vacate and occupy the new shops.

4.Recording the above submissions, this Writ Petition is disposed of. No costs. The respondents are directed to ensure all the remaining 146 shops are also electrified and made ready within 30 days and occupied, as others are also shifted thereafter, as otherwise the footfall in these 14 shops will be less and expose the members of the petitioner to unintended pecuniary/monetary loss. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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Ellis Nagar,
Madurai.

+1 CC to M/s.SPL GP (SR-7741[F] dated 22/02/2022)

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-7891[F] dated
22/02/2022)

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RK(03/03/2022) 3P 7C