



W.P.(MD) Nos.14430 to 14439 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)Nos.14430 to 14439 of 2021

and

**W.M.P.(MD)Nos.11375, 11379, 11397, 11392, 11376, 11377, 11378, 11381,
11380 and 11382 of 2021**

W.P.(MD)No.14430 of 2021

S.Karuppasamy

... Petitioner

-Vs-

- 1.The District Collector,
O/o. The District Collector,
Tenkasi District.
- 2.The Superintendent of Police,
O/o. The Superintendent of Police,
Tenkasi District.

Page 1 of 6



W.P.(MD) Nos.14430 to 14439 of 2021

WEB COPY

3.The Regional Director of Municipal Administration,
O/o. The Regional Director of Municipal Administration,
Tenkasi District.

4.The Commissioner,
O/o. The Commissioner,
Kadayanallur Municipality,
Kadayanallur, Tenkasi District.

5.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Tenkasi, Tenkasi District.

6.The Tahsildar,
O/o. The Tahsildar,
Kadayanallur, Tenkasi District.

7.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 4, 6 and 7 from evicting the

Page 2 of 6



W.P.(MD) Nos.14430 to 14439 of 2021

petitioner's shop, bearing Shop No.7, situated at Kadayanallur Municipality “Thanthai Periyar” Daily and Weekly Market at Kadayanallur, Tenkasi District without following the procedures as per the due process of law and consequently, direct the 4th respondent to form a vending Committee and locate the vending zone as per Central Act 7 of 2014.

For Petitioner : Mr.G.Anto Prince
For R1, R3, R5 : Mr.S.P.Maharajan,
& R6 Special Government Pleader
For R2 & R7 : Mr.T.Senthil Kumar,
Additional Public Prosecutor
For R4 : Mr.M.Rajarajan
(in all W.Ps.)

COMMON ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This batch of Writ Petitions has been filed, seeking issuance of a Writ of Mandamus, to forbear the respondents 4, 6 and 7 from evicting the petitioners from their shops, situated at Kadayanallur Municipality “Thanthai Periyar” Daily and Weekly Market at Kadayanallur, Tenkasi District, without following due process of law and consequently, to direct the 4th respondent to form a Vending Committee and locate the vending zone as per the Central Act 7 of 2014.

Page 3 of 6



W.P.(MD) Nos.14430 to 14439 of 2021

WEB COPY

2.Today, when the matter was taken up for hearing, the learned counsel for the 4th respondent Corporation submitted that the authorities concerned will follow due process of law before taking any action for evicting the petitioners from the subject place, for which, the learned counsel for the petitioners is also agreeable.

3.In view of the above, without going into the merits of the case, this Court directs the authorities concerned to strictly follow due process of law, before taking any action against the petitioners. Needless to say, if the petitioners are to be evicted, they should be given show cause notice and sufficient opportunity to put forth their case, only after considering their objections, eviction should be resorted to.

4.With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] & [J.S.N.P., J.]

15.11.2022

Index : Yes / No

Internet : Yes / No

Myr

Page 4 of 6



W.P.(MD) Nos.14430 to 14439 of 2021

WEB COPY

To

- 1.The District Collector,
O/o. The District Collector,
Tenkasi District.
- 2.The Superintendent of Police,
O/o. The Superintendent of Police,
Tenkasi District.
- 3.The Regional Director of Municipal Administration,
O/o. The Regional Director of Municipal Administration,
Tenkasi District.
- 4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Tenkasi, Tenkasi District.
- 5.The Tahsildar,
O/o. The Tahsildar,
Kadayanallur, Tenkasi District.
- 6.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

Page 5 of 6



WEB COPY



W.P.(MD) Nos.14430 to 14439 of 2021

R.MAHADEVAN, J.

AND

J.SATHYA NARAYANA PRASAD, J.

Myr

W.P.(MD)Nos.14430 to 14439 of 2021

15.11.2022