



W.P.(MD)No.16933 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16933 of 2022

and

W.M.P(MD)No.12333 of 2022

T.Senguttuvan

... Petitioner

Vs

The State Express Transport Corporation,
Tamil Nadu,
Pallavan Salai,
Chennai.

Represented by its Managing Director.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of respondent in Lr.No. 042658/G1/AVPoKa/2022 dated 22.07.2022, quash the same and consequently, to direct the respondent corporation and its subordinates to extend the lease period for a further period of 3 years for running the cycle stand in the Thanjavur Bus Stand.

For Petitioner : Mr.C.Padmaraj

For Respondent : Mr.Veera Kathiravan
Additional Advocate General
Assisted by



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Mr.S.C.Herold Singh
Standing Counsel

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ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General assisted by the learned Standing Counsel appearing for the respondent.

2. The petitioner was granted license to run a two wheeler stand. The license period was expired in 2020 itself. However, considering the pandemic situation it was extended up to March 2022.

3. According to the learned Additional Advocate General, public auction was held. While the petitioner would state that no such public auction was held, it is controverted by the respondent. According to the respondent one Nagamuthu was the successful bidder.

4. Be that as it may, as on date the petitioner is not having any subsisting lease or license. The petitioner states that he had already filed the civil suit in O.S.No.219 of 2021 on the file of District Munsif Court, Thanjavur and that interim order of injunction was granted in his favour.



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5. The learned counsel appearing for the petitioner would contend that the violation of the injunction order, the impugned communication dated 22.07.2022 calling upon the petitioner to hand over the possession has been issued. If that be so, the remedy open to the petitioner to move the jurisdictional civil Court against the respondent for having disobeyed the injunction order. An independent writ petition would not lie.

6. Leaving open the rights and remedies of the writ petitioner, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

29.07.2022

Index : Yes / No
Internet : Yes/ No
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To

The Managing Director,
The State Express Transport Corporation,
Tamil Nadu,
Pallavan Salai,
Chennai.



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G.R.SWAMINATHAN, J.

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