



W.P(MD)No.2295 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.2295 of 2016

and

W.M.P(MD)Nos.2012 & 2013 of 2016

1.B.Senthil Kumar(Died)

2.B.Ramesh

... Petitioners

(Petitioner No.2 is substituted vide Court order, dated 02.12.2022, in W.M.P(MD)No.21524 of 2022 in W.P(MD)No.2295 of 2016)

Vs.

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Ma.Va.1/04379/15, dated 19.01.2016, on the file of the respondent and quash the same as illegal.

For Petitioner : M/s.T.Lajapathi Roy

For Respondent : M/s.R.Murali
Standing Counsel



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ORDER

The present Writ Petition has been filed challenging an order passed by the respondent herein, under which, petty shop license granted to the writ petitioner has been cancelled on the alleged ground that, it is a hindrance to the general public and the movement of vehicles.

2. Admittedly, the petitioner has been granted petty shop license in the year 2010 and he is running the said petty shop. The license has been cancelled under the impugned order on certain grounds. Admittedly, the order impugned in the writ petition has been passed without issuing any notice or conducting any enquiry.

3. In view of the violation of principles of natural justice, the order impugned in the writ petition is set aside. The matter is remitted back to the file of the respondent herein. The respondent shall pass orders, after giving due opportunity to the writ petitioner.



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4. With the above said observations, the writ petition stands allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

02.12.2022

Index : Yes / No
Internet : Yes / No
gbg/btr

To

The Commissioner,
Madurai Corporation,
Madurai.



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R.VIJAYAKUMAR, J.

gbg/btr

Order made in
W.P(MD)No.2295 of 2016

02.12.2022