



WEB COPY



W.P.No.1047 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 19.01.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**W.P.No.1047 of 2023**

**&**

**W.M.P.No.1036 of 2023**

P.Ravi Shankar

...Petitioner

**Vs.**

1.The Commissioner  
Pollachi Municipality  
Pollachi

2.The Revenue Officer  
O/o Pollachi Municipality  
Pollachi

... Respondents in both cases

**P R A Y E R:** Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus calling for the records on the file of the 2<sup>nd</sup> respondent in notice Na.Ka.No.8633/2022/A6 dated 23.12.2022 and quash the same as illegal and direct the respondents to not to evict the petitioner till the lease period end by 31.03.2024.

For Petitioners : Mr.A.Thiagarajan Senior Counsel  
for  
Ms.A.Vinupradha

For Respondents : Mr.B.Anand

**ORDER**



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The writ petition is filed to call for the records on the file of the 2<sup>nd</sup> respondent in notice Na.Ka.No.8633/2022/A6 dated 23.12.2022 and quash the same as illegal and direct the respondents to not to evict the petitioner till the lease period end by 31.03.2024.

2. It is the contention of the petitioner that he is one of the shop owner in the Thernilai Daily Trade Market situated in Ulunderpet road, Pollachi from the year 2015 by renewing the lease agreement once in three years. The petitioner was granted lease for the period of three years commencing from 01.04.2021 to 31.03.2024. The 2<sup>nd</sup> respondent has sent a notice in Na.Ka.No.8633/2022/A6 dated 23.12.2022 asking the owners of the shop to vacate and handover the vacant possession of the market within 7 days as they are going to demolish and reconstruct the market. It is his further contention that since the lease period is not over the petitioner prays for dropping the action of the Pollachi Municipality. Hence, the present Writ Petition.

3. Mr.B.Anand, learned counsel takes notice for the respondents and



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submits that construction are to undertake and alternative place is also granted to the shop owners.

4. In such view of the matter, when the new projects are approved and new construction are necessary, the same cannot be stalled by the petitioner merely on the basis of lease. Since the alternative place is also granted, the petitioner cannot challenge the impugned order. At the most, after the construction of the shops, the petitioner shall be considered in priority basis for allotment.

5. Accordingly, the Writ Petition is disposed of. No costs. Consequently, Connected Writ Miscellaneous Petition is closed.

**19.01.2023**

kpr  
Index:Yes/No  
Speaking/Non-speaking order  
Neutral citation:Yes/No

**N. SATHISH KUMAR, J.**



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To

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