



W.A.No.651 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.651 of 2023

The Arakkonam Market All Merchants Association
Reg.No.34/1987 Rep. by its Secretary,
A.Abdul Kadhar, S/o.Y.Abbas
No.58/36, Mosque Street
Arakkonam - 631001
Ranipet District.

.. Appellant

Vs

- 1 The State of Tamil Nadu
Rep. by its Additional Chief Secretary to Government
Municipal Administration and Water Supply Department
Fort St.George, Chennai - 600009.
- 2 The Director of Municipal Administration
MRC Nagar, Raja Annamalaipuram
Chennai - 600 006.
- 3 The Arakkonam Municipality
Rep. by its Commissioner
Arakkonam, Ranipet District.
- 4 The Arakkonam Municipal Council
Rep. by its Chairman
Arakkonam Municipality, Arakkonam
Ranipet District.

.. Respondents



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Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 11.1.2023 passed by the learned Single Judge in W.P.No.35018 of 2022.

For the Appellant : Mr.C.Prakasam

For the Respondents : Mr.K.M.D.Muhilan
Addl. Government Pleader

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This appeal is directed against the order dated 11.1.2023 passed by the learned Single Judge in W.P.No.35018 of 2022, whereby the members of the appellant association were permitted to remain in the shops till 31.3.2023 and thereafter vacate and handover the possession to the respondent/Municipality.

2. Mr.C.Prakasam, learned counsel appearing on behalf of the appellant association, submitted that most of the shop owners are Muslims and they are observing fasting from today (24.3.2023) on account of Ramzan and since the festival is to be celebrated on 22.4.2023, two months' time may be granted to the members of the



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appellant association to make suitable alternate arrangements and vacate and handover the possession to the respondent/Municipality. Learned counsel for the appellant association has also filed an affidavit of undertaking dated 24.3.2023 to the effect that the members of the appellant association shall vacate the shops on or before 31.5.2023.

3. Placing on record the affidavit of undertaking dated 24.3.2023 filed by the appellant association, the writ appeal is disposed by granting the members of the appellant association time till 31.5.2023 to vacate and handover the possession to the respondent/Municipality. There will be no order as to costs. Consequently, C.M.P.No.6543 of 2023 is closed.

(T.R., ACJ.) (D.B.C., J.)
24.03.2023

Index : No
Neutral Citation : No
sasi



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To:

- 1 The Additional Chief Secretary to Government
State of Tamil Nadu
Municipal Administration and Water Supply Department
Fort St.George, Chennai - 600009.
- 2 The Director of Municipal Administration
MRC Nagar, Raja Annamalaipuram
Chennai - 600 006.
- 3 The Commissioner
Arakkonam Municipality
Arakkonam, Ranipet District.
- 4 The Chairman
Arakkonam Municipal Council
Arakkonam Municipality, Arakkonam
Ranipet District.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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