



WP No.21056 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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and WMP Nos.20244 and 20248 of 2019

V.Soundararajan

.. Petitioner

-VS-

1. The Principal Secretary to Government,
Municipal and Administration and
Water Supply Department, Chennai.

2. The Director of Municipal Administration,
Chepauk, Chennai.

3. The Commissioner,
Udumalpet Municipality,
Udumalpet.

4. V.Vinoth Kumar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to prevent the unauthorised usage inside the Udumalpet Main market



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premises comprised in Ward No.F, Block No.1, T.S.No.10, Udumalpet and consequently to remove the encroachments made by the 4th respondent, his men and agents inside the said market premises and consequently to restore all the four exiting gates of the market for its effective usage and consequently not to open the north gate heading towards the National Highways and consequently to make a provision for parking for the visitors of the market inside the Market premises and consequently to supervise and regularise the functions of the market as per law and norms for the smooth functioning of the market and consequently to remove the structure put up by the 3rd respondent under the guise of manufacturing the micronutrients by dumping decayed products inside the market premises and consequently not to bifurcate the market by constructing a separate compound wall inside the market and consequently to permit the market premises to function only as a market and consequently to expand the market area by putting entire market area effectively into usage.

For the Petitioner : Mr.R.Kannan

For the Respondents : Mr.T.K.Saravanan
Govt.Advocate
For RR 1 and 2

: Mr.S.Anand for R-3

: Mr.L.Mouli for R-4

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ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Kannan, learned counsel for the petitioner, Mr.T.K.Saravanan, learned Government Advocate for respondent Nos.1 and 2, Mr.S.Anand, learned counsel for respondent No.3 and Mr.L.Mouli, learned counsel for respondent No.4.

2. The learned counsel for the petitioner submits that the respondents be directed to prevent unauthorised usage inside the Udumalpet main market premises comprised in Ward No.F, Block No.1, T.S.No.10 and consequently remove the encroachments made by the 4th respondent and his agents.

3. The respondent No.3 has filed a status report which states that the improvements in the said market have been taken up under the centenary celebration fund 2020-21. The market is functioning as a weekly market mainly on Mondays and retail business is carried out on a daily basis. The construction of four new blocks in the above



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market place is underway and there is no dumping of waste in the market site and a micro composting centre with a capacity of 4 MT per day is functioning. It is further stated that steps are also undertaken to make improvements in order to avoid traffic congestions. A copy of the status report is placed on record.

4. It is submitted by the learned counsel for respondent No.4 that respondent No.4 is a successful bidder in the auction.

In light of the above, the writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

sra



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

(sra)

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