



WEB COPY



W.P.No.23113 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23113 of 2023
and W.M.P.Nos.22664 & 22665 of 2023

1.Munavar Khan
2.Shafiyullah
3.Sheik Abdullah

...Petitioners

Vs.

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 604.

2.The Executive Officer,
Chengam Town Panchayat,
Chengam Town – 606 701.

3.The Assistant Director,
Panchayats,
Rural Development,
Collectorate, Vellore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to consider and dispose petitioner's representation dated 13.07.2023 not to demolish the



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Chengam Town market building situates at Tiruvannamalai District, Chengam Taluk, Chengam Town Panchayat, Main road (Old Police Line Street), Chengam, Nathaam Survey No.418/12 including buildings, EB service connections with all facilities and to continue their business in the market place without any interference.

For Petitioners : Mr.M.Mariappan

For Respondents 1 & 3 : Mr.P.Anandha Kumar
Government Advocate

For Respondent 2 : Mr.M.Rajendiran
Additional Government Pleader

ORDER

The petitioners herein seek a direction to the second respondent to consider their representation dated 13.07.2023 and not to demolish the chengam town market building situated at Main road (Old Police Line Street), Chengam Town Panchayat, Tiruvannamalai District.

2.According to the petitioners, they are small merchants carrying on their business in the shop located in the shopping complex belongs to the second respondent. The petitioners entered into a rental agreement with the second respondent in respect of the shop, 28 years ago and they have been



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paying the rent to the second respondent regularly. The building was constructed in the year 1995 and the same is in a sound condition. However, the second respondent had decided to demolish the building and reconstruct the same on the ground that it has become dilapidated. When the building is in sound condition, there is no necessity to demolish the same and go for reconstruction. Therefore, the petitioners submitted a representation to the second respondent on 13.07.2023, requesting him to drop the proposal for demolition of the building mainly on the ground that the condition of the building is sound enough. Though the representation was made by the petitioners on 13.07.2023, the same has not been considered by the second respondent till date.

3.Mr.P.Anandha Kumar, learned Government Advocate takes notice for the respondents 1 & 3.

4.Mr.M.Rajendiran, learned Additional Government Pleader who takes notice for the second respondent, submits that the representation submitted by the petitioners will be disposed in accordance with law.



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5. In view of the limited prayer made in the writ petition, without expressing any opinion on the merits of the claim made by the petitioners, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioners dated 13.07.2023 and pass final orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed

07.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

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S.SOUNTHAR, J.
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