



WEB COPY



W.P. No. 34946 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 34946 of 2023
and
W.M.P. No. 34924 of 2023**

Salem City V.O.C. Flower Market Agents
Development Association,
Rep. By its President R.M. Raju,
V.O.C. Market, Salem 636 001.

... Petitioner

-VS-

1. The Commissioner,
The Corporation of Salem, Salem.
2. The Assistant Commissioner,
Ammappettai Ward Office,
The Corporation of Salem, Salem.
3. Lokanathan @ Lokesh
4. G. Venkatesh
5. Gunasekaran

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to cancel the lease given to the respondents 3 to 5 through the auction dated 01.11.2023 to collect the toll charges from the shops located in the four storied new building V.O.C. Daily Market, Salem.



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For Petitioner : Mr. E. Om Prakash (Senior Counsel)
for Mr. V.T. Balaji

For Respondents : Ms. N. Devi (R1 and R2)

ORDER

Heard Mr. E. Om Prakash, Learned Senior Counsel appearing for the Petitioner and Ms. N. Devi, Learned Counsel appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First Respondent to cancel the lease given to the Third to Fifth Respondents through the auction dated 01.11.2023 to collect the toll charges from the shops located in the four storied new building V.O.C. Daily Market, Salem.

3. Learned Counsel appearing for the First Respondent has filed a memo dated 19.12.2023 stating that the Third to Fifth Respondents have neither been allotted with any contract by the Corporation nor they they are collecting the licence fee as on date.

4. In such circumstances, this Writ Petition is not entertained as pre-mature,



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but if the Petitioner is aggrieved by any further action taken by the concerned authorities, it would not preclude the Petitioner from working out its remedies before the proper forum in the manner recognized by law.

In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

20.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 11.03.2024.

gsa

To

1. The Commissioner,
The Corporation of Salem, Salem.
2. The Assistant Commissioner,
Ammapettai Ward Office,
The Corporation of Salem, Salem.



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P.D. AUDIKESAVALU, J.

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