



W.P.(MD) No.1048 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1048 of 2023

and

W.M.P.(MD)No.988 of 2023

- 1.S.Petchimuthu
- 2.Madasamy
- 3.Sadaiyappan
- 4.P.Subburaj
- 5.Sundar
- 6.S.Ganapathi
- 7.Arumugasamy
- 8.P.Kumaresan
- 9.S.Velmurugan
- 10.Mariappan
- 11.Sundar
- 12.Muthuraj
- 13.Muthuselvan

Page 1 of 6



W.P.(MD) No.1048 of 2023

WEB COPY

14.Kurusamy

15.Sakthivel

16.Madasamy

17.Murugesan

... Petitioners

-Vs-

1.The District Collector,
District Collector Office,
Tenkasi, Tenkasi District.

2.The Block Development Officer,
Panchayat Union Office,
Sankarankovil, Tenkasi District.

3.The Panchayat President,
Vadakkupudhur Panchayat Office,
Vadakkupudhur, Sankarankovil,
Tenkasi District.

4.The Commissioner,
Sankarankovil Municipality,
Tenkasi District.

... Respondents

Page 2 of 6



W.P.(MD) No.1048 of 2023

WEB CONTENT

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 4th respondent vide order Na.Ka.No.2313/2022/F1, dated 21.10.2022 and to quash the same with regard to 17 saloon shops of the petitioners and consequently, direct the 4th respondent to give alternative place for 17 saloon shops of the petitioners in Old S.No.368/2, Ward A, Block 19, T.S.No.8, situated at Sankarankovil, Tenkasi District.

For Petitioners : Mrs.Ragavendree,
For Mr.S.Suresh Manickam

For R1 & R4 : Mr.V.Nirmal Kumar,
Government Advocate

For R2 & R3 : Mr.K.Balasubramani,
Special Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the eviction notice dated 21.10.2022 issued by the 4th respondent, this Writ Petition is filed with a consequential direction to the 4th respondent to give alternative place for 17 saloon shops of the petitioners in Old S.No.368/2, Ward A, Block 19, T.S.No.8, situated at Sankarankovil, Tenkasi District.

Page 3 of 6



W.P.(MD) No.1048 of 2023

WEB COPY

2. According to the petitioners, they are running saloon shops in the land in question for more than 50 years and fairly, admitted that the land in question is a water body. Therefore, they seek only alternative place to run their business and to that extent, they also filed an undertaking affidavit before this Court.

3. The learned Government Advocate for the respondents 1 and 4 has produced the proceedings of the 4th respondent dated 24.01.2023 addressed to him and submitted that the 4th respondent will consider the request of the petitioners and provide alternative place to the petitioners in different localities, as there is paucity of place for giving shops to all these petitioners on the same locality.

4. In the light of the aforesaid submission, this Court directs the 4th respondent to provide alternative place to these petitioners as per his proceedings dated 24.01.2023 and the petitioners are also directed to vacate the



W.P.(MD) No.1048 of 2023

WEB COPY

shops occupied by them and hand over the possession to the 4th respondent Municipality. Such an exercise shall be completed within a period of three months from the date of receipt of a copy of this order. Till such time, the 4th respondent shall not take any coercive steps against the petitioners. We make it clear that this order will apply only to these petitioners.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
25.01.2023
(2/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

To

1. The District Collector,
District Collector Office,
Tenkasi, Tenkasi District.

Page 5 of 6



WEB COPY



W.P.(MD) No.1048 of 2023

D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

MYR

2.The Block Development Officer,
Panchayat Union Office,
Sankarankovil, Tenkasi District.

3.The Panchayat President,
Vadakkupudhur Panchayat Office,
Vadakkupudhur, Sankarankovil,
Tenkasi District.

4.The Commissioner,
Sankarankovil Municipality,
Tenkasi District.

W.P.(MD)No.1048 of 2023

25.01.2023

(2/2)

Page 6 of 6