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W.P.(MD)NO.2131 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2131 of 2023 and
W.M.P.(MD)Nos.1899 & 1900 of 2023

M.Jayalakshmi

... Petitioner

Vs.

1. The Commissioner,
Tirunelveli City Municipal Corporation Office,
Raja Maligai,
Tirunelveli.

2. The Assistant Commissioner,
Palayankottai Region,
Tirunelveli Corporation,
Tirunelveli.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order Na.Ka.No. A1/6557/2020 dated 02.12.2022 on the file of the 2nd respondent pertains to shop Nos.373 and 374 and quash the same and consequently direct the respondents to retain the order passed in Na.Ka.No.A1/6557/2020 dated 02.12.2022 pertaining to shop Nos.18 and 19 with basic amenities at old Police quarters place, Palayamkottai within a period stipulated time by this Court.



For Petitioner : Mr.S.Arunnithy

For Respondents : Mr.A.Sivanupandian,
Standing Counsel.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner clarifies that she is willing to abide by the notice issued on 02.12.2022 calling upon her to shift the shop Nos.18 and 19. The learned counsel appearing for the petitioner points out on the same day, the respondents had issued another set of orders calling upon her to shift the shop Nos.373 and 374. Such contradictory orders cannot be passed.

3. The learned Standing counsel states that the petitioner can shift the shop Nos.18 and 19. At the same time, the temporary shops that have now been erected must be endowed and provided with basic amenities. The petitioner shall not be called upon to shift the shops even before being provided with basic amenities.



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4. This writ petition stands disposed of accordingly. No costs.

02.02.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Commissioner,
Tirunelveli City Municipal Corporation Office,
Raja Maligai,
Tirunelveli.
2. The Assistant Commissioner,
Palayankottai Region,
Tirunelveli Corporation,
Tirunelveli.



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G.R.SWAMINATHAN,J.

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