



W.P(MD)Nos.2767 to 2781 of 2023

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.03.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)Nos.2767 to 2781 of 2023**

**and**

**W.M.P(MD)Nos.2530 to 2537, 2539, 2541, 2543, 2546,  
2548, 2553, 2555 to 2585 of 2023**

**W.P(MD)No.2767 of 2023:**

Ashok kumar

... Petitioner

Vs

1.The Secretary to Government,  
Municipal Administration and  
Water Supply Department,  
Secretariat,  
Chennai – 09.

2.The Commissioner,  
Palani Municipality,  
Palani,  
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the record pertaining to the impugned order of the second Respondent in Na.Ka.No..5033/2018/A1 (Shop No.4) dated 11.01.2023 (received by the petitioner on 03.02.2023) and quash the same.



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For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.Suriyananth  
Additional Government Pleader for R.1

Mr.L.P.Mauriya  
Standing Counsel for R.2

**COMMON ORDER**

The writ petitioners herein are licensees occupying shops belonging to Palani Municipality in the premises of Gandhi Weekly Market. The licenses are valid up to 30.06.2025. In the meanwhile, by the impugned communications, the petitioners have been called upon to vacate and hand over vacant possession of the shops. The reason which impelled the Palani Municipality to issue such communications was that there is a proposal to demolish the existing premises and put up a new bus stand along with shopping complex.

2.Even though the petitioners licenses are still holding good, in view of the offer made by the respondent Municipality, I am not inclined to interfere with the impugned communications. The petitioners are given time till 20.03.2023 to vacate and hand over possession of the premises.



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3. Those of the petitioners who have cleared all the arrears will not only be entitled to participate in the auction to be held after the shopping complex is constructed, they will also be given preference in the sense they can match the highest bid fetched in respect of each shop and thereupon they will be issued with the licenses.

4. The next question that calls for consideration is making alternative arrangements for the petitioners. The learned counsel appearing for the petitioners states that alternative accommodation is very much available even within the premises of new bus stand. This Court may not be justified in issuing any directions straightaway. This Court however permit the petitioners to submit a formal representation to the local body by identifying alternative sites. The second respondent is directed to consider the petitioners' request on merits. A decision will also be taken within a period of one week from the date of receipt of the representation. I would express the hope that the local body will definitely endeavor to accommodate the request of the petitioners to the maximum.



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5. These writ petitions are disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**06.03.2023**

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

**Note: Issue Order Copy on 07.03.2023.**

To

1. The Secretary to Government,  
Municipal Administration and  
Water Supply Department,  
Secretariat, Chennai – 09.

2. The Commissioner, Palani Municipality, Palani, Dindigul District.



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G.R.SWAMINATHAN, J.

MGA

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