



W.P.(MD)Nos.4270 to 4281, 4292, 4293, 4294, 4295, 4296, 4297,
4301 and 4302 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.4270 to 4281 of 2023
and W.P.(MD)Nos.4292 to 4302 of 2023

and

W.M.P.(MD)Nos.4034, 4042, 4045, 4036, 4039, 4037, 4044, 4047,
4035, 4038, 4040, 4041 of 2023 and

W.M.P(MD)Nos.4058, 4060, 4066, 4069, 4067, 4068, 4062, 4064,
4065, 4070 and 4071 of 2023

W.P.(MD)No.4270 of 2023

M.Amutha (Eastern Side Shop No.5)

... Petitioner

Vs.

The Executive Officer,
Mudukulathur Town Panchayat,
Mudukulathur,
Ramanathapuram District.

... Respondent

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings of the respondent made in Na.Ka. No. A2/108/2018 dated 01.02.2023 (Shop No.5) and quash the same .

For Petitioner : Mr.R.Murali

For Respondent : Mr.N.Dilipkumar
Standing Counsel



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COMMON ORDER

Heard the learned counsel on either side.

2. The petitioners are licensees occupying shops belonging to the local body. It is beyond dispute that the licence period will expire only on 31.03.2024. It is not known as to why the respondents has issued the impugned notice calling upon the petitioner to explain as to why the licence should not be terminated.

3. It is not the case of the respondent that the petitioners have breached the licence terms and conditions. I therefore quash the impugned notice. The petitioners are permitted to remain as licencees till 31.03.2024. Whether to renew the licence or to bring the shops to public auction, it is a call to be taken by the local body . The petitioners cannot insist as a matter of right that their licences should be renewed even after 31.03.2024. The issue is entirely within the discretion of the local body.



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4. These writ petitions are allowed on these terms.

Consequently, connected miscellaneous petitions are closed.

01.03.2023

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

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To

The Executive Officer,
Mudukulathur Town Panchayat,
Mudukulathur,
Ramanathapuram District.



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G.R.SWAMINATHAN,J.

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01.03.2023