



W.P(MD)No.4706 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4706 of 2023

and

W.M.P.(MD)No.4367 of 2023

R.Saravanan,
(Western Inside Shop No.10)

... 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 in favour of Western Inside Shop No.10 and quash the same .

For Petitioner : Mr.R.Murali

For Respondent : Mr.N.Dilipkumar,
Standing Counsel.

ORDER

Heard the learned counsel on either side.



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2. The petitioner is a licensee occupying shop 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 respondent 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 petitioner has breached the licence terms and conditions. I, therefore, quash the impugned notice. The petitioner is permitted to remain as licensee till 31.03.2024. Whether to renew the licence or to bring the shop to public auction, it is a call to be taken by the local body . The petitioner cannot insist as a matter of right that his licence should be renewed even after 31.03.2024. The issue is entirely within the discretion of the local body.

4. The writ petition is allowed on these terms. Consequently, connected miscellaneous petition is closed.

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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