



W.P.(MD)No.8949 to 8952 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.8949 to 8952 of 2023
and
W.M.P.(MD)Nos.8132, 8133, 8134 & 8135 of 2023

Essaki	... Petitioner in W.P.(MD)No.8949 of 2023
M.S.Murugan	... Petitioner in W.P.(MD)No.8950 of 2023
Murugaraj	... Petitioner in W.P.(MD)No.8951 of 2023
Logaraj	... Petitioner in W.P.(MD)No.8952 of 2023

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,



W.P.(MD)No.8949 to 8952 of 2023

Tenkasi District.

4. The Commissioner,
Sankarankovil Municipality,
Tenkasi District.

... Respondents in all Writ Petitions

Prayer in all Writ Petitions: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the fourth respondent vide order Na.Ka.No.2313/2022/F1, dated 30.12.2022 and to quash the same with regard to saloon shop of the petitioner in Old S.No.368/2, Ward A, Block 19, T.S.No.8, situated at Sankarankovil, Tenkasi District and consequently, direct the fourth respondent to give alternative place for the saloon shop of the petitioner.

For Petitioner :Mrs.S.Ragaventhre

For Respondents :Mr.K.Balasubramani
Special Government Pleader for R1 to R3

: Mr.P.T.Thiraviam
(in all Writ Petitions) Government Advocate for R4

COMMON ORDER

Heard the learned counsel on either side.

2. It is brought to our notice that the identically placed individuals filed W.P.(MD)No.1048 of 2023 and the Hon'ble Division Bench vide order dated 25.01.2023 disposed of the writ petition in the following terms:-



W.P.(MD)No.8949 to 8952 of 2023

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 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.

3. The petitioners herein failed to join the bandwagon earlier. That need not come in the way of granting relief to the petitioners.

4. These Writ Petitions are also disposed of on the same lines. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
19.04.2023

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



WEB COPY



W.P.(MD)No.8949 to 8952 of 2023

G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

rmi

To

- 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.

W.P(MD)Nos.8949 to 8952 of 2023

19.04.2023