



W.P(MD)Nos.15877 and 17127 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.15877 and 17127 of 2022

and

W.M.P.(MD)Nos.11451 and 12498 of 2022

and

W.M.P.(MD)Nos.24695, 24700, 24742 and 24743 of 2023

W.P.(MD)No.15877 of 2022:-

L.Krishnavel

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Regional Director of Municipal Administration,
Tirunelveli.

3.The Commissioner,
Sankarankovil Municipality,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the Respondents from evicting the petitioner from his shop bearing Shop



W.P(MD)Nos.15877 and 17127 of 2022

No.63B/6 situated in Anna Bus Stand Main Road, Sankarankovil by
considering the petitioner's representation dated 05.07.2022.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.R.Baskaran,
Addl. Advocate General,
Assisted by Mr.M.Prakash,
Addl. Government Pleader for R1 & R2.
Mr.P.T.Thiraviam for R3.

W.P.(MD)No.17127 of 2022:-

Thinasari Naalangadi Vyaabarigal Sangam,
Rep. by its Vice Secretary,
K.Chandrasekaran.

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Regional Director of Municipal Administration,
Tirunelveli.

3.The Commissioner,
Sankarankovil Municipality,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of
India, praying this Court to issue a Writ of Mandamus, forbearing the



W.P(MD)Nos.15877 and 17127 of 2022

respondents from evicting the shop keepers of the daily vegetable market in “Gandhiji Nootrandu Ninaivu Naal Angadi” situated near Anna Bus Stand, Sankarankovil by considering the petitioner's representation dated 15.07.2022.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.R.Baskaran,
Addl. Advocate General,
Assisted by Mr.M.Prakash,
Addl. Government Pleader for R1 & R2.
Mr.P.T.Thiraviam for R3.

COMMON ORDER

Heard the learned counsel for the writ petitioners, the learned Additional Advocate General assisted by the learned Additional Government Pleader for the respondents 1 and 2 and the learned standing counsel for the third respondent.

2.The petitioners and other have been allotted shops in Anna Bus Stand Market Complex, Sankarankovil. It is not in dispute that the petitioners' license period is yet to expire. In the meanwhile, the local



W.P(MD)Nos.15877 and 17127 of 2022

body had shifted the municipal office as well as bus stand. The construction that is presently going on will house both the new bus stand as well as new market complex. 70% of the work is already over. It is undertaken by the local body that the entire works including construction of market complex will be over within an outer time limit of six more months. It is stated that the old market complex is also proposed to be renovated. All that the local body wants is that the petitioners should go out and run their business from a temporary accommodation which will also be identified by the local body for the intervening period.

3.I find the stand of the local body to be reasonable. This is more so because the funds allotted for construction of new bus stand / new market and renovation of the old market and old bus stand will lapse, if the project is not completed within the time line stipulated.

4.I, therefore direct the local body to identify a temporary place from where the licensees of the old market can carry on their business. This shall be done by the local body within a period of two weeks from the date of receipt of a copy of this order. The petitioners and other



W.P(MD)Nos.15877 and 17127 of 2022

licensees will have to move to the newly identified place with effect from 01.01.2024. The local body will complete the work of constructing the new bus stand and new market within an outer time limit of six months from today ie., 13.12.2023. The rights of the petitioners and other licensees to be allotted shops in the new market will be governed by the Tamil Nadu Urban Local Bodies Rules.

5.The writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

13.12.2023

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

Issue order copy on 18.12.2023.

To:-

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Regional Director of Municipal Administration,
Tirunelveli.

5/6



WEB COPY



W.P(MD)Nos.15877 and 17127 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)Nos.15877 and 17127 of 2022

13.12.2023