



W.P(MD)No.17245 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17245 of 2022

and

W.M.P(MD)Nos.12591 & 12592 of 2022

T.Bagavathi

... Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Executive Officer,
Special Grade Town Panchayat,
Valliyur,
Tirunelveli District.

3.The General Manager,
Thirunelveli District Co-operative Milk Union (Aavin),
Perumal Puram (Post),
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned order passed by the second respondent in Na.Ka.No. 175/2021 dated 19.07.2022 and the order passed by the third respondent in



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Na.Ka.No.3811/M5/2018 dated 29.06.2022 and quash the same as illegal, consequently direct the second respondent to consider the petitioner's representation dated 26.07.2022.

For Petitioner : Mr.E.Mareeskumar

For Respondents : Mr.A.K.Manikkam
Special Government Pleader for R.1

Mr.H.Arumugam
Standing Counsel for R.2

ORDER

Heard the learned counsel on either side.

2.The writ petitioner was running an Aavin Parlour. The stand of the local body is that the shop was allotted for Aavin. Since Aavin itself has cancelled the license, the petitioner cannot be given any relief. The license period also expired on 31.03.2022 itself. I endorse the objection raised by the learned counsel appearing for the local body. I however make it clear that if Aavin is also given an alternative accommodation subject to Aavin recognising the writ petitioner as their franchisee, the writ petitioner also will be accommodated.



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3.This writ petition is disposed of with the aforesaid directions. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

14.02.2023

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

Note: Issue Order Copy on 16.02.2023.

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Executive Officer,
Special Grade Town Panchayat,
Valliyur,
Tirunelveli District.
- 3.The General Manager,
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Tirunelveli District.



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G.R.SWAMINATHAN, J.

MGA

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