



WP (MD) No.3030 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.3030 of 2016
and
WMP(MD)No.2663 of 2016**

K.Chidambaram

... Petitioner

Vs

1.The Director of Town Panchayat,
Kuralagam, Chennai – 600 018.

2.The District Collector,
Office of the District Collector,
Dindigul.

3.The Executive Officer,
Selection Grade Town Panchayat,
Batlagundu,
Dindigul District.

4.C.Kamarudeen

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to allot Shop No.60 situated at Batlagundu Town Panchayat Bus Stand and consequently direct the respondent No.2 to initiate action against the respondent No.4 for his corrupt practices within the time stipulated by this Court.



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For petitioner : Mr.S.Rajasekar

For Respondent : Mr.M.Sarangan,
Nos.1 to 3 Additional Government Pleader

ORDER

The Batlagundu Town Panchayat has auctioned the shops constructed in Batlagundu bus stand in the year 2016 and this petitioner has taken shop No.60 in the auction conducted on 04.02.2016. The previous allottee of the shop has not vacated the shop and therefore the petitioner has filed this writ petition for a mandamus directing the respondents to allot the shop to this petitioner.

2.When this writ petition has been taken up for hearing, the learned Additional Government Pleader submits that the petitioner has filed this writ petition on 08.02.2016 and the previous allottee has filed another in WP(MD)No.5180 of 2016, which was dismissed only on 04.10.2016. Thereafter the shop was handed over to the petitioner on 07.10.2016. However, the petitioner did not accept the shop that it was handed over to him belatedly. He has also filed another writ petition to return the amount deposited by this petitioner. This Court has also passed an order directing the respondent to return the money as against the same, the Panchayat has filed writ appeal in WA(MD)No.1514 of 2017



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wherein this Court directed the panchayat to deposit the amount of Rs.2,94,572/-

and the panchayat has also deposited the amount in the Indian Bank, High Court, Madurai Branch. Considering the subsequent development, this writ petition is dismissed with liberty to the petitioner to workout his remedy in the writ appeal. No costs. Consequently connected miscellaneous petition is closed.

10.10.2023

Internet: Yes / No

Index: Yes/ No

NCC: Yes / No

dsk

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B.PUGALENDHI, J.

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