



WP(MD)No.1098 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.01.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)No.1098 of 2014

and

M.P.(MD)Nos.1, 2 and 3 of 2014

P.Marimuthu

... Petitioner

/vs/

1.The Executive Engineer P.W.D.,
Buildings Construction & Maintenance Division,
Ambasamudram,
Tirunelveli District.

2.The Assistant Executive Engineer P.W.D.,
Buildings Construction & Maintenance Division,
Ambasamudram,
Tirunelveli District.

3.The Assistant Engineer P.W.D.,
Buildings Construction & Maintenance Division,
Ambasamudram,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the impugned order in Letter No.Ko6 Neema-1 2013 dated 18.11.2013 on the file of the respondent No.3 and quash the same as illegal.



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For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.D.Farjana Ghoushia
Special Government Pleader

ORDER

The impugned proceedings, directing the petitioner to vacate the shop, has been challenged in this writ petition.

2.The petitioner submits that he is a member of the National Association of Educated Self Employed Youth (NAESY) and that the members of the association have been permitted to set up Snack Kiosks at various places. The petitioner, being the member of the association, was permitted to set up a NAESY Snack Kiosk in the premises of the Judicial Magistrate Court, since 1987 and it was the only source of income that he has been eking out for his livelihood. Without any notice, the third respondent herein had passed the impugned order calling upon the petitioner to vacate the premises within 15 days. According to him, the said order has been passed without observing the principles of natural justice and therefore aggrieved against the same, he had filed this writ petition.

3.Mrs. Farjana Ghoushia, learned counsel appearing for the respondent would submit that the premises of the Court has been shifted to a new building and that no shop has been allotted to any third parties.



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4.In the light of the subsequent developments, namely shifting of the functioning of the Court to a new building, nothing survives to be adjudicated in this writ petition.

5.Accordingly, this writ petition stands closed. Consequently, connected miscellaneous petitions also stand closed. No costs.

03.01.2023

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

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To

- 1.The Executive Engineer P.W.D.,
Buildings Construction & Maintenance Division,
Ambasamudram, Tirunelveli District.
- 2.The Assistant Executive Engineer P.W.D.,
Buildings Construction & Maintenance Division,
Ambasamudram, Tirunelveli District.
- 3.The Assistant Engineer P.W.D.,
Buildings Construction & Maintenance Division,
Ambasamudram, Tirunelveli District.



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K.KUMARESH BABU, J.

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Order made in
W.P.(MD)No.1098 of 2014
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