



W.P(MD)Nos.18464 & 18465 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 01.06.2023

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) Nos. 18464 & 18465 of 2014 and
WMP(MD) Nos.1 & 2, 1 & 2 of 2014

P. Nagarajan

Petitioner in
WP(MD) No.18464/2014

M.Karthick

Petitioner in
WP(MD) No.18465/2014

Vs

1.The District Collector,
Madurai District.

2.The Executive Officer,
Alaganallur Town Panchayat,
Madurai District.

Respondents in both WPs

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the entire records relating to the order passed by the first respondent in Na.Ka.No.40562/2014/CL2, dated 20.09.2014 and to quash the same as illegal and consequently



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directing the second respondent to conduct fresh auction after issuing due notification in Tamil daily for shop Nos.6 & 4 residing at No.6, Southern Side, Alaganallur bus stand, Vadipatty Taluk, Madurai District.

For Petitioners	:Mr.C.M.Arumugam
For Respondents	:Mr.Veerakathiravan, Additional Advocate General Assisted by Mr.S.Shaji Bino Special Government Pleader

COMMON ORDER

The Alanganallur Panchayat has constructed a shopping complex at Alanganallur Bus Stand, Vadipatti Taluk and has also allotted shops on public auction in the year 2013-2014. The petitioners, who have participated in the public auction held in the year 2013-2014 were allotted Shop Nos.4 & 6. Even before expiry of the lease period, the petitioners sought for extension of lease period, which was rejected by the respondents. Aggrieved over the same, the petitioners have filed these writ petitions in the year 2014.



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2.In earlier occasion, when these writ petitions were taken up for hearing, the learned counsel appearing for the petitioner prayed for closing of these writ petitions as these writ petitions have become infructuous. On the other hand, the learned Government Advocate appeared for the respondents submits that taking advantage of pendency of these writ petitions, the petitioners are still occupying the Shop Nos.4 & 6 in the shopping complex at Alanganallur Bus Stand, Vadipatti Taluk and they have failed to pay any rent to the Panchayat.

3.In view of the submissions made by the learned Government Advocate, this Court has issued certain directions to the respondents to file a report as to the details of payment of rent and / or deposit, if any made by the petitioners.

4.Today(01.06.2023), when these writ petitions are taken up for hearing, the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the



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respondents submits that the petitioners have paid the arrears of rent to the tune of Rs.1,37,097/- and Rs.1,26,400/- respectively on 01.06.2023. The learned Additional Advocate General further submits that the Government is intending to demolish those buildings for the purpose of renovation of the bus stand. A copy of the proceedings in Na.Ka.No.5402/2022/23, dated 17.04.2023 to that effect has also been submitted before this Court.

5.The learned counsel appearing for the petitioners submits that since the petitioners have paid the arrears of rent and the period of lease is also over, nothing survives in this writ petition.

6.Considering the subsequent development that the petitioners have paid the arrears of rent, lease period is also over and the Government is intending to demolish the buildings for renovation of the bus stand, these writ petitions are disposed of with a direction to the petitioners to hand over the possession of the shop Nos.4 & 6 to the Alanganallur Panchayat within a period of one



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month from the date of receipt of a copy of this order. The Panchayat shall ensure proper income is derived from this property. No costs. Consequently, connected Miscellaneous Petitions are closed.

01.06.2023

NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.
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To

- 1.The District Collector,
Madurai District.
- 2.The Executive Officer,
Alaganallur Town Panchayat,
Madurai District.



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B.PUGALENDHI, J

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Common Order made in
W.P(MD) Nos. 18464 & 18465 of 2014 and
WMP(MD) Nos.1 & 2, 1 & 2 of 2014

01.06.2023