



W.P(MD)No.28003 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28003 of 2023

and

W.M.P(MD)No.24116 of 2023

D.Sakthivel

... Petitioner

Vs.

1.The Trichirappalli City Corporation,
Represented by its Commissioner,
Corporation Office,
Cantonment, Trichy – 1.

2.The Assistant Commissioner,
Ward Committee Office – 1,
Srirangam, Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to remove the seal and hand over the Shop No.49 situated at Chathiram Bus Stand, Trichy to the petitioner with the original position.



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For Petitioner : Mr.R.Murugesan
For Respondents : Mr.R.Baskaran
Senior Advocate
for M/s.R.B.Law Associates

ORDER

Heard both sides.

2. The petitioner wants the respondents to de-seal the petition mentioned premises.

3.I am not in a position to grant the relief sought for by the petitioner for the simple reason that the petitioner on his own showing stated that he is only a sublessee.

4.The learned Senior Advocate appearing for the respondents points out that as per Condition No.39 of the tender notification, sublesseeing stood prohibited. Therefore, the relief sought for cannot be granted. However, the petitioner is permitted to take back the articles that are presently inside the sealed premises. The respondents undertake to open the premises this evening at 05.00 p.m. The entire proceedings



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will be photographed. The petitioner can enter the shop and remove the articles kept inside. As and when the shop is brought for fresh auction, the petitioner can very well participate in the same. Merely because he has been a sublessee, that will not operate as disqualification.

5.This writ petition is dismissed with the aforesaid direction. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.11.2023

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

Note: Issue order copy on 28.11.2023.

To

- 1.The Commissioner,
Trichirappalli City Corporation,
Corporation Office,
Cantonment, Trichy – 1.
- 2.The Assistant Commissioner,
Ward Committee Office – 1,
Srirangam, Trichy.



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G.R.SWAMINATHAN, J.

MGA

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