



WEB COPY



W.P. No. 27367 of 2023 etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. Nos. 27367, 27371, 27372, 27373, 27374,
27375, 27378 and 27380 of 2023**

and

**W.M.P. Nos. 26801, 26821, 26805, 26808, 26810,
26814, 26813 and 26817 of 2023**

Dhanalakshmi Thandapani	... Petitioner in W.P. No. 27367 of 2023
S.Vijayalakshmi	... Petitioner in W.P. No. 27371 of 2023
S.Chandrasekar	... Petitioner in W.P. No. 27372 of 2023
K.Gowthami	... Petitioner in W.P. No. 27373 of 2023
Sagadevan Ramasamy	... Petitioner in W.P. No. 27374 of 2023
Kavitha Anandkumar	... Petitioner in W.P. No. 27375 of 2023
Praveenkumar	... Petitioner in W.P. No. 27378 of 2023
Kumaresan Sagadevan	... Petitioner in W.P. No. 27380 of 2023

-vs-

1. The District Collector,
Collectorate,
Thiruppur - 641 604.
2. The Commissioner,
Thiruppur Corporation,
Thiruppur - 641 604.



W.P. No. 27367 of 2023 etc. batch

3. S.Saranya

... Respondents in all W.Ps

Common Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the Second Respondent Notification No. 1/7836/2021, dated 13.01.2023 and declaration No. 673 dated 10.04.2023 and quash the same and direct the Second Respondent to allot shop for the Petitioners, considering representation dated 09.09.2023.

For Petitioners
in all W.Ps

: Mr. G.J.Baskar Narayan

For Respondents
in all W.Ps

: Mr. P.Ganesan,
Additional Government Pleader (for R1)

Mr. S.Silambanan,
Additional Advocate General
for Mr. Abishek Murthy (for R2)

COMMON ORDER

Heard G.J.Baskar Narayan, Learned Counsel for the Petitioners and Mr. P.Ganesan, Learned Additional Government Pleader appearing for the First Respondent and Mr. S.Silambanan, Learned Additional Advocate General appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.



WEB COPY

2. The Petitioners in this batch of these Writ Petitions have challenged the award of the tender by the Second Respondent by Proceedings No. A1/7836/2021, dated 13.01.2023 and declaration No. 673 dated 10.04.2023 to the Third Respondent for lease of the newly constructed flower market at Easwaran Koil Street in Zone – III of Tiruppur City Municipal Corporation.

3. This Court during the earlier hearing on 19.12.2023 had passed the following self-explanatory order:-

“ Having due regard to the nature of grievances ventilated by the Petitioners in these Writ Petitions, it is represented by Learned Additional Advocate General appearing for the First and Second Respondents that the First Respondent in consultation with the Second Respondent would immediately convene a meeting of all stake-holders including the Petitioners and the Third Respondent in order to amicably to resolve the disputes between the parties so as to work out the modalities for ensuring smooth conduct of business in the market premises, and the report of such action taken would be filed on the next hearing.”



W.P. No. 27367 of 2023 etc. batch

WEB COPY

4. The Second Respondent has filed memo dated 14.03.2024 containing the minutes of the meeting conducted on 24.01.2024 by the Second Respondent, which reads as follows:-

“The old flower market on Eeswaran Kovil Road, 3rd zone of Tirupur Corporation, has been demolished and a New Smart City Flower Market has been constructed in the same place, brought for the sellers' occupation. The Writ Petitions have been initiated by sellers who didn't get allotment of shops in the new market but were in occupation of the shops in the old flower market under W.P. Nos. 27367 of 2023, 27371 of 2023, 27372 of 2023, 27373 of 2023, 27374 of 2023, 27375 of 2023, 27378 of 2023 and 27380 of 2023.

An interim order has been issued by the Madras High Court to conduct a reconciliation session or meeting with the parties to reconcile the disparities between them peaceful manner and report the outcome to the court on 26.12.2023. The parties present are as follows: The First Respondent, District Collector, the Second Respondent Tirupurr Corporation Commissioner, the Third



W.P. No. 27367 of 2023 etc. batch

Respondent Tmt.S.Saranya, the Petitioners, and other aggrieved parties.

Further, according to the interim order of the Madras High Court in the above-mentioned Writ Petitions, reconciliation session or meeting has been conducted with the Petitioners and the Third Respondent Tmt. S.Saranya by the Second Respondent, the Commissioner, on 24.01.2024 at 11:00.AM, according to Notification 6906/2023 issued on 11.01.2024. The said meeting has been conducted and the minutes of the meeting are as follows:

Participants:

- A. Mr. Pavankumar G Giryappanavar, IAS-The Commissioner, Tirupur Municipal.Corporation (2nd Respondent)*
- B. Mr. M. Sunderrajan, Deputy Commissioner, Tiruppur Municipal Corporation*
- C. Mr. S. Sanmugam, 1/264, Neruperuchal Village, Thiruppur-Husband of the Third Respondent Ms.S.Saranya, Tiruppur (with Authorization Letter)*
- D. Ms. Danalakshmi -W.P. No. 27367 of 2023*
- E. Ms. Vijayalakshmi.- Husband.Name: Saravana Kumar, Ph, No,*



W.P. No. 27367 of 2023 etc. batch

9095194909- W.P. No. 27371 of 2023

WEB COPY

F. Ms. Kavitha Husband Name: Ananda Kumar, Ph. No.

8870009496 W.P.No. 27375 of 2023

G. Mr. Sagadevan Father's Name: Ramaswamy, Ph. No.

887000902 W.P. No. 27374 of 2023

H. Ms..Gauthami Husband's Name: Kumaresan, Ph. No.

887066885 - WP. No. 27373 of 2023

I. Mr. Kumaresan - Father's Name: Sagadevan, Ph. No.

995222862 - WP. No. 27380/2023

J. Mr. Praveen Kumar Father'sName: Ponnuswami, Ph. No.

995222862 – W.P.No. 27378 of 2023

K. Mr. Chandrasekar - R. Sivasubramaniam, Ph. No. 984294549

– W.P. No. 27372 of 2023

1. The Commissioner has informed the participants of the meeting that the Thrid Respondent Tmt. S.Saranya has been represented by her husband Thiru. R.Shanmugam during the session and he has been authorized by the Third Respondent to do so through an authorization letter issued by herself.

2. a) The Petitioner in W.P. No. 27367 of 2023, Tmt. Danalakshmi, Tirupur, stated that she had never approached the



licensee to get allotment for her shop in the new flower market.

WEB COPY

b) The Petitioner in W.P. No. 27375 of 2023, Tmt. Kavitha, Tirupur, stated that she had never approached the licensee, Tmt. S.Saranya, to get allotment for her shop, and she had requested the Third Respondent to allot a shop for herself if any were available at a lower rent.

c) The Petitioner in W.P. No. 27374 of 2023, Thiru. Sagadeva Ramasamy, Tirupur, stated that he had initiated the Petitioner to lower the rent for his shop, which has been allotted for himself, and he had never approached the Third Respondent for reducing the rate of rent.

d) The Petitioner of W.P. No. 27373 of 2023, Tmt. Gouthami, wife of Kumaresan, Tirupur, stated that she had never approached the Third Respondent to get an allotment of shop for herself and requested the Respondent to allot a shop for herself with a lower rate of rent.

e) The Petitioner in W.P. No. 27380 of 2023, Thiru. Kumaresan, son of Sagadevan, Tirupur, stated that the Third Respondent had allotted a shop (No. 25) for the Petitioner, and the Petitioner had carried out business for only two months, after



WEB COPY

which the allotment had been revoked by the Third Respondent due to certain disparities between them.

f) The Petitioner in W.P. No. 27378 of 2023, Thiru. Praveenkumar, stated that he got allotted with shop No. 23 and he has been in occupation for the past five months and requested the Third Respondent to reduce the rate of rent. He never approached the Petitioner regarding this issue.

g) The Petitioner in W.P. No. 27372 of 2023, Thiru. S.Chandrasekar, Tirupur, stated that he had been allotted with shop No. 34 and was in occupation for only two days, and the allotment was revoked on the grounds that he had a flower shop in a private store near the Easwaran Road, behind the Anand Departmental Store, on a rental basis. He further stated that the case has been initiated to get an allotment of a shop through the Corporation.

3. The Third Respondent, through her representative, her husband Thiru. Shanmugam, stated that according to the above mentioned contentions and requests of the Petitioners of the above mentioned Writ Petitions, shops will be allotted to those who have not been allotted any yet, if any shops are available. The requests



W.P. No. 27367 of 2023 etc. batch

and contentions of the Petitioners who are in occupation of shops

within the flower market will be rectified in a peaceful manner.

Currently, the 87 shops have been allotted, and there are no shops available as surplus. Hence, the shops will be allotted in the future if any surplus is available based on priority. The same has been communicated to the Petitioners, flower vendors, and other participants. The meeting ended”

In view of the aforesaid subsequent events, nothing remains for further consideration in these Writ Petitions, but it would not preclude the respective Petitioners, if they still have any further grievance, from working out their remedies before the proper forum in the manner recognized by law.

In fine, these Writ Petitions are disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

15.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 09.04.2024.

kv



W.P. No. 27367 of 2023 etc. batch

WEB COPY

- To
1. The District Collector,
Collectorate,
Thiruppur - 641 604.
 2. The Commissioner,
Thiruppur Corporation,
Thiruppur - 641 604.



WEB COPY



W.P. No. 27367 of 2023 etc. batch

P.D. AUDIKESAVALU, J.

kv

W.P. No. 27367 of 2023 etc. batch

15.03.2024