



W.P(MD)No.4336 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4336 of 2024

and

W.M.P.(MD)No.4155 of 2024

V.Nedunchelivan

... Petitioner

Vs.

The Commissioner,
Karur City Municipal Corporation,
Corporation Office,
Karur.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the respondent herein in his proceedings in Na.Ka.No.A6/1255/2020 dated 16.02.2024 and quash the same as illegal and further directing the respondent herein to restore the lease in petitioner's favour with respect to the Shop to an extent of 60 Sq. ft in the Western side of Karur Corporation building, Hospital Road, Karur.

For Petitioner : Mr.V.Meenkashi Sundaram

For Respondent : Mr.K.Balasubramani,
Standing Counsel.



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ORDER

Heard both sides.

2.The petitioner challenges the impugned notice dated 16.02.2024 issued by the Karur Municipal Corporation, cancelling the license issued in favour of the petitioner to occupy 60 sq. ft. of vacant site. Karur Municipal Corporation is said to have passed a resolution on 25.10.2023 for resuming all the lands that were let out on ground rent. The learned standing counsel for the corporation drew my attention to the order dated 09.11.2023 in W.P.(MD)Nos.26982 and 26983 of 2023. I had held that the persons who have been in occupation of the sites belonging to the corporation on payment of ground rent may not have any legal right as such particularly when the corporation had passed a resolution. But then, the corporation must apply its policy uniformly. It cannot selectively target certain persons by citing the said resolution. I sustain the impugned notice. I however direct the respondent to uniformly apply the resolution dated 25.10.2023.



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3.The writ petition is dismissed with the aforesaid direction. No costs.

Consequently, connected miscellaneous petition is closed.

28.02.2024

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

The Commissioner,
Karur City Municipal Corporation,
Corporation Office,
Karur.



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G.R.SWAMINATHAN, J.

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