



W.P(MD)No.5429 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5429 of 2024

and

W.M.P.(MD)Nos.5193 & 5194 of 2024

P.Selvasingh

... Petitioner

Vs.

**The Commissioner,
Sankarankovil Municipal Corporation,
Sankarankovil
Tenkasi District.**

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the Respondent in his proceedings in Na.Ka.No.2826/E1/2011, dated 22.01.2024 (Shop No.25 and 26) and quash the same as illegal.

For Petitioner : Mr.V.Malaiyendran

**For Respondent : Mr.P.T.Thiraviam
Government Advocate**



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ORDER

Heard both sides.

2. The petitioner has been in occupation of the petition mentioned shop belonging to the respondent corporation as lessee. The corporation wants to extend the bus stand and for this purpose, they are constrained to demolish the petition mentioned shop also. Vide notice dated 22.01.2024, the petitioner has been called upon to vacate and hand over the possession. Challenging the said notice, the present writ petition came to be filed.

3. When the authorities want to demolish the existing building for expansion purpose, the writ Court will not be justified in interfering with the same. The petitioner will be entitled to preferential treatment as envisaged under Sub Rule 11(9) of Rule 316 of Tamil Nadu Urban Local Bodies Rules.

4. With this declaration in favour of the petitioner, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

07.03.2024

Index : Yes / No
Internet : Yes/ No
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To

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The Commissioner,
Sankarankovil Municipal Corporation,
Sankarankovil
Tenkasi District.



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G.R.SWAMINATHAN, J.

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