



W.P(MD)No.6001 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6001 of 2024
and
W.M.P(MD)No.5637 & 5638 of 2024

C.Samuthiraselvi

... Petitioner

Vs.

The Commissioner,
Sankarankovil Municipality 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 Na.Ka.No.2826/E1/2011, dated 22.01.2024 (Shop No.10) and quash the same as illegal.

For Petitioner : Mr.V.Malaiyendran



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W.P(MD)No.6001 of 2024

For Respondent : Mr.M.Lingadurai
Special Government Pleader

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.



W.P(MD)No.6001 of 2024

4. With this declaration in favour of the petitioner, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.03.2024

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

To

The Commissioner,
Sankarankovil Municipality Corporation,
Sankarankovil,
Tenkasi District.



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W.P(MD)No.6001 of 2024

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.6001 of 2024

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