



W.P(MD)Nos.13509, 13514 and 13518 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 12.01.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)Nos.13509, 13514 and 13518 of 2020  
and

W.M.P.(MD)Nos.11269, 11270 and 11274 of 2020

**W.P.(MD)No.13509 of 2020:-**

K.Baskar

... Petitioner

**Vs.**

The Commissioner and Special Officer,  
Tuticorin Municipal Corporation,  
Tuticorin.

... 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 pertaining to impugned order Na.Ka.No.A/16/1868/2020 dated 09.09.2020 on the file of respondent quash the same as illegal and consequently order to allow the petitioner to continue the business in Corporation Shop Nos.8 and 9 (New Nos.6 and 7) of East Car Street Extension, Tuticorin without any intervention of the respondent.

For Petitioner : Mr.S.Muthumalairaj

For Respondent : Mr.N.Anandakumar,  
Standing Counsel.



**W.P.(MD)Nos.13509, 13514 and 13518 of 2020**

**W.P.(MD)No.13514 of 2020:-**

WEB COPY

Senthil Ganesh

... Petitioner

**Vs.**

The Commissioner and Special Officer,  
Tuticorin Municipal Corporation,  
Tuticorin.

... 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 pertaining to impugned order Na.Ka.No.A/16/1868/2020 dated 09.09.2020 on the file of respondent quash the same as illegal and consequently order to allow the petitioner to continue the business in Corporation Shop No.7 (New No.5) of East Car Street Extension, Tuticorin without any intervention of the respondent.

For Petitioner : Mr.S.Muthumalairaj

For Respondent : Mr.N.Anandakumar,  
Standing Counsel.

**W.P.(MD)No.13518 of 2020:-**

Shanmugavel

... Petitioner

**Vs.**



**W.P(MD)Nos.13509, 13514 and 13518 of 2020**

The Commissioner and Special Officer,  
Tuticorin Municipal Corporation,  
Tuticorin.

... 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 pertaining to impugned order Na.Ka.No.A/16/1868/2020 dated 09.09.2020 on the file of respondent quash the same as illegal and consequently order to allow the petitioner to continue the business in Corporation Shop Nos.3 to 6 (New Nos.1 to 4) of East Car Street Extension, Tuticorin without any intervention of the respondent.

For Petitioner : Mr.S.Muthumalairaj

For Respondent : Mr.N.Anandakumar,  
Standing Counsel.

### **COMMON ORDER**

Heard both sides.

2.The writ petitioners herein were in occupation of the shops belonging to Tuticorin City Municipal Corporation in the capacity of licensees / tenants. The Corporation Commissioner issued the impugned notices dated 09.09.2020



**W.P(MD)Nos.13509, 13514 and 13518 of 2020**

calling upon the petitioners to hand over possession of the respective shops within a period of fifteen days from the date of receipt of the notices. The reason for issuing such notices was because the corporation proposed to demolish the existing complex and construct city conversion centre under the smart city project. When the writ petitions were listed for admission on 01.10.2020, interim stay was granted till 12.10.2020. It was made clear that if the petitioners fail to obtain extension of the interim orders, they would get expired on 12.10.2020.

3.The writ petitions were listed on 09.10.2020 and the interim orders were extended until further orders. On 26.11.2020, the remaining shops in the complex were demolished. That had structurally weakened the shops occupied by the petitioners. Cracks developed. It became unsafe for the petitioners to continue to occupy the shops. Therefore, the petitioners left with no other option but to vacate the shops. Subsequently, on 16.12.2020, the petition mentioned shops were also demolished.

4.The petitioners filed Cont.P.(MD)Nos.29, 30 and 31 of 2021. As on date, a pucca convention centre has been put up. The shops occupied by the petitioners are no longer in existence. Nothing survives for further adjudication



**W.P(MD)Nos.13509, 13514 and 13518 of 2020**

in these writ petitions and the writ petitions are closed as infructuous. No costs.

Consequently, connected miscellaneous petitions are closed.

**12.01.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
ias



WEB COPY



**W.P(MD)Nos.13509, 13514 and 13518 of 2020**

**G.R.SWAMINATHAN, J.**

ias

**W.P(MD)Nos.13509, 13514 and 13518 of 2020**

**12.01.2024**