



WP(MD). No.22415 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 23/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.22415 of 2024

R.Pandian

... Petitioner

Vs

1. The District Collector,
O/o.District Collector,
Collectorate Post,
Dindigul - 624 004.

2. The Corporation Commissioner,
O/o.Dindigul Corporation,
Main Road,
Dindigul - 624 001.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent to allot one shop D1 to petitioner attached to the complex situated at Kamarajar Bus Stand, Dindigul Corporation, Dindigul as per undertaking memo given by the 2nd respondent on 17.04.2018 and subsequently Directorate of Municipal Administration issued a Circular vide number Na.Ka.781/R2/2024 dated 19.08.2024.

For Petitioner : Mr.M.Sheik Abdullah,



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For Respondent : Mr.A.Kannan for R1
Additional Government Pleader
Mr.J.Lawrance for R2

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed for a mandamus to direct the 2nd respondent to allot one shop to the petitioner attached to the complex situated at Kamarajar Bus Stand, Dindigul Corporation, Dindigul as per undertaking memo given by the 2nd respondent on 17.04.2018 and subsequently Directorate of Municipal Administration issued a Circular vide number Na.Ka.781/R2/2024 dated 19.08.2024.

3. It is the case of the petitioner that he was allotted a shop in the Dindigul Town Bus Stand in the year 2017. While so, notice has been issued by the 2nd respondent to demolish the same. At that time, the petitioner has filed a suit in OS No.501/2017. At that stage, the respondent filed a counter stating that after construction, they are willing



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to allot new shop to the petitioner. However, it is his case that no new shop has been allotted to him.

4. When the petitioner was posed a question as to the need for filing such suit, it is the contention of the petitioner that seeking for allotment of shop, the suit has been filed.

5. While it is the case of the petitioner that he has filed a suit, the copy of the judgment and decree has not been annexed in the typed set of papers. When it is brought to the notice of this Court that the relief originally asked was only for a suit for bare injunction, the suit has already been dismissed. Now it appears that the building has already been demolished and new construction is over. When similarly situated persons approached this Court by filing batch of writ petitions in WP(MD) Nos.19769/2021 etc., this Court has dismissed those writ petitions by order dated 29.11.2021. The petitioner was also one of the party before this Court, which has been suppressed. Now the shops have been auctioned and new tenants have been inducted, at this stage, by suppressing all these facts, the petitioner cannot seek a mandamus.



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6. Accordingly, the writ petition is dismissed. No costs.

23.09.2024

RR

TO

1. The District Collector,
O/o.District Collector,
Collectorate Post,
Dindigul - 624 004.



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N.SATHISH KUMAR,J

RR

**ORDER
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