



W.A.(MD) No.132 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD) No.132 of 2024

Nagaraj

... Appellants

-VS-

1.The State of Tamil Nadu,
Rep by the Secretary,
Municipal Administration and Water Supply Department,
Secretariat,
Fort St.George,
Chennai-9.

2.The Commissioner of Municipal Administration,
Ezhilagam, Annex Building,
Chepauk, Chennai.

3.The Commissioner, Usilampatti Municipality,
Usilampatti, Madurai District.

... Respondents



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 01.06.2023 made in W.P(MD).No.11161 of 2023.

For Appellants : Mr.P.Vetrivel,
for Mr.S.Rajasekar

For Respondents : Mr.N.Satheeshkumar,
Additional Govt. Pleader for R1 & R2
Mr.Austin for R3

J U D G M E N T

[Judgment of the Court was delivered by D.KRISHNAKUMAR, J.]

When the matter came up for admission, the learned Additional Government Pleader appearing for the respondents 1 and 2 has relied upon the judgment passed by the Division Bench of this Court in similar matters in W.A. (MD)Nos.1186 of 2023 etc., batch, wherein this Court has held as follows:

“6. Learned Additional Advocate General appearing for the respondents 1 & 2 submits that Rule 316 of the Tamil Nadu Urban Local Bodies Rules, 2023, enables the Local Body to give preference when the existing licencees / lessees match the highest bid price and submit necessary documents proving their eligibility for preference as



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the persons, who were in occupation of the shops before demolition or reconstruction of a new bus stand shopping complex. Therefore, the appellants will be given preference while allotting new shops in the proposed shopping complex in terms of Rule 316 of the Tamil Nadu Urban Local Bodies Rules, 2023, provided they should satisfy the requirement of the said provision.

7. Recording the above submissions of the learned Additional Advocate General appearing for the respondents 1 & 2, these writ appeals are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.”

2. Following the said judgment, this Writ Appeal is also disposed of on the same line. There shall be no order as to costs.

[D.K.K., J.]

[R.V., J.]

07.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

vsm

To

- 1.The Secretary,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George, Chennai-9.
- 2.The Commissioner of Municipal Administration,
Ezhilagam, Annex Building,
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- 3.The Commissioner, Usilampatti Municipality,
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