



W.P.(MD) No.25724 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.(MD) No.25724 of 2024

N.Govindaraju
Petitioner

...

-VS-

- 1.The District Collector
Thanjavur District
Thanjavur
- 2.The Commissioner
Thanjavur City Municipal Corporation Office
Gandhiji Road
Thanjavur-613 001
Thanjavur District
- 3.The Divisional Engineer
O/o.The Divisional Engineer
National Highways
1st Floor, Panagal Building
Thanjavur
Thanjavur District



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4.The Deputy Superintendent of Police
Thanjavur City
Keelavasal
Thanjavur
Thanjavur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to pass suitable orders to float a public tender in respect of 300 Deepavali festival temporary seasonal shops in the arterial roads, near Old Bus Stand and also near the surrounding area of union club, within the limits of the Thanjavur City Municipal Corporation, by strictly following the procedures contemplated under the Tamilnadu Urban Local Bodies Act, by considering the representation of the petitioner dated 06.10.2024 within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R3
Mr.N.Dilip Kumar
Standing Counsel for R2
Mr.S.Ravi
Additional Public Prosecutor for R4

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]



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Prayer in the petition is to issue a writ of mandamus directing respondents to pass suitable orders to float a public tender in respect of 300 Deepavali festival temporary seasonal shops in the arterial roads, within the limits of Thanjavur City Municipal Corporation, by strictly following the procedures contemplated under the Tamil Nadu Urban Local Bodies Act, 1998.

2. According to petitioner, respondent No.2 – Corporation has permitted temporary shops to be established for Deepavali festival, without following due process.

3. Shri N.Dilip Kumar, counsel appearing for Corporation, states that there is not even a proposal to permit setting up of temporary shops, let alone the Corporation permitting temporary shops to be set up. Counsel says, on the contrary, Corporation is in the process of removing of all shops following judicial orders.

4. In view of the statement made by counsel for respondent No.2, which statement is accepted, we dispose of the petition. There shall be no order



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[K.R.SHRIRAM., C.J.]

[MOHAMMED SHAFFIQ,

J.]

28.10.2024

NCC : Yes / No

Index : Yes / No

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To:

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Divisional Engineer,
O/o.The Divisional Engineer,
National Highways,
1st Floor, Panagal Building,
Thanjavur, Thanjavur District.

3.The Deputy Superintendent of Police,
Thanjavur City,
Keelavasal,
Thanjavur, Thanjavur District.

THE HON'BLE CHIEF JUSTICE
and
MOHAMMED SHAFFIQ, J.

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