



W.P.No.10232 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10232 of 2025

and

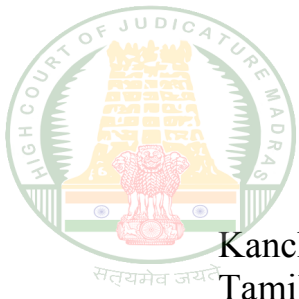
W.M.P.No.11511 of 2025

D.Gangadharan

...Petitioner

-Vs-

- 1.The District Collector,
Office of the District Collector,
1st Floor, Kanchipuram,
Kanchipuram District,
Tamil Nadu – 603 501.
- 2.The Additional Secretary of Co-operative Societies,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai – 600 009.
- 3.The Commissioner,
Office of the Corporation Commissioner,
Hospital Road, Kanchipuram District,
Tamil Nadu – 631 502.
- 4.The Registrar of Co-operative Societies,
No.170, Natrajan Mahal, Periyar E.V.R High Road,
Poonamallee High Road, Kilpauk,
Chennai – 600 010.
- 5.The Joint Registrar of Co-operative Society,
Vandavasi Salai,
Gandhi Road, Thayar Kullam,



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Kanchipuram, Kanchipuram District,
Tamil Nadu – 631 501.

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6.Mr.K.P.J.Mohan,
President, Kanchipuram Rajaji Market All Traders Society,
Reg.No.128/2004,
Shop No.25, Kanchipuram Rajaji Market,
Railway Salai, Kanchipuram,
Tamil Nadu – 631 501.

7.Mr.D.G.Murali,
Secretary, Kanchipuram Rajaji Market All Traders Society,
Reg.No.128/2004,
Shop No.5, Kanchipuram Rajaji Market,
Railway Salai, Kanchipuram,
Tamil Nadu – 631 501.

8.Mr.K.G.S.Saravanan,
Treasurer, Kanchipuram Rajaji Market All Traders Society,
Reg.No.128/2004,
Shop Nos.11, 12, 13 & 14, Kanchipuram Rajaji Market,
Railway Salai, Kanchipuram,
Tamil Nadu – 631 501.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing respondents No.1 & 3 to consider the representation dated 23.02.2025 for produce the list of shop keepers, list of shop number of the allotted to shop keepers and direct the respondents to conduct an enquiry and handed over one shop equivalent to the shop handed over by petitioner for demolish and reconstruction within the time frame fixed by this Court and pass such further orders.



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For Petitioner : Mr.M.Dharani Dharan
For R1 : Mrs.R.L.Karthika,
Government Advocate
For R2, R4 & R5 : Mr.S.Ravi Kumar
Special Government Pleader
For R3 : Mr.RA.Gopinath,
Standing Counsel

ORDER

With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for issuance of a Writ of Mandamus, directing respondents No.1 & 3 to consider the representation dated 23.02.2025 to produce the list of shopkeepers, list of shop numbers allotted to shopkeepers and to direct the respondents to conduct an enquiry and hand over one shop equivalent to the shop handed over by the petitioner for demolish and reconstruct within the time frame fixed by this Court.

3. The case of the petitioner is that there are irregularities in shop allotments at Kanchipuram Rajaji Market, managed by the Kanchipuram Rajaji Market All Traders Society (Reg.No.128/2004). The petitioner's



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father, Mr.Dharmalingam, had been running a shop in the market for the past 70 years, regularly paying all dues, and after his demise on 05.10.2014, the petitioner continued the business. In the year 2021, the 3rd respondent herein approached the shopkeepers and the Kanchipuram Rajaji Market All Traders Society to improve the market by demolishing the same and allocating new shops to the already functioning shopkeepers. Following demolition and reconstruction, the market was taken over by the Traders Society through an auction conducted by the Corporation Commissioner (3rd Respondent), with an assurance that original shopkeepers would be re-allotted their shops. However, several shops were allotted to outsiders, including those recommended by the 6th, 7th, and 8th respondents (political persons), while genuine traders like the petitioner were denied allotment.

4. Learned counsel appearing for the petitioner would contend that his family has been lawfully conducting business in the Rajaji Market, Kanchipuram, for over seven decades. After the market's demolition and reconstruction, the petitioner was assured that original shopkeepers would be re-allotted their shops through a transparent process. However, the allotment was manipulated in favor of outsiders, including individuals recommended by politically influential persons, thereby denying rightful shopkeepers,



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including the petitioner, their due allotment.

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5. The petitioner alleges corruption and irregularities in the allocation process, where shops were given in exchange for illegal considerations, while nearly 25 shops remain under the society's control and are sub-leased for premium amounts. Despite filing complaints, including CSR No.111 of 2025, no police action has been taken due to political influence. The shop allotment list has been withheld for over six months, and the petitioner's representation dated 23.02.2025 has not been considered till date. Hence, the present writ petition is filed.

6. Learned Standing Counsel appearing for the 3rd respondent would submit that the representation of the petitioner dated 23.02.2025 would be considered on merits, in accordance with law within a time frame stipulated by this Court.

7. Heard both sides and perused the materials available on record.

8. Without going into the merits of the case, the 3rd respondent is directed to consider the representation of the petitioner dated 23.02.2025



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after giving due notice to the petitioner and respondents 6 & 7, affording an opportunity of personal hearing to the petitioner as well as respondents 6 & 7, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, thereby following the above principles of natural justice within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that till the representation of the petitioner is disposed of, the 3rd respondent shall not go ahead with the process of auctioning 25 shops or handing over the same to any individual.

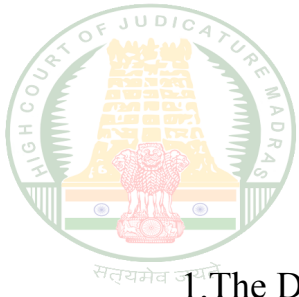
In the result, the writ petition stands disposed of with the above observations and direction. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking/Non Speaking order

To

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J.SATHYA NARAYANA PRASAD, J.

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