



W.P.Nos.23317 of 2025 etc batch

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

**W.P.Nos.23317, 23322, 23337, 23346,
23348, 23350, 23325 & 23336 of 2025
and WMP.Nos.26203, 26217, 26227,
26192, 26216, 26229, 26230 & 26196 of 2025**

W.P.No.23317 of 2025

D.Jaikumar

... Petitioner

Vs

1. The Regional Director
of Municipal Administration,
Tirupur.

2. The Commissioner
Coonoor Municipality
The Nilgiris.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus to call for the records relating to the letter made in Na.Ka.No.1836/2024/F1 dated 12.06.2025 and issued by the Commissioner, Coonoor Municipality, The Nilgiris, the second respondent herein and to quash the same and



W.P.Nos.23317 of 2025 etc batch

consequently forbearing the respondents herein from in any manner evicting or disturbing the petitioner herein from carrying on business in shop number 12 E/3, Coonoor Municipal Market, Coonoor, The Nilgiris.

For Petitioner	: Mr.N.Damodaran in all WPs
For Respondents	: Dr.T.Seenivasan Special Government Pleader in all WPs

COMMON ORDER

These writ petitions are filed to quash the order of the respondent made in Na.Ka.No.1836/2024/F1 dated 12.06.2025 issued for eviction of the petitioners shop at Municipal Market, Coonoor, The Nilgiris.

The facts in brief are as follows:-

2. The petitioners are all lessees conducting various businesses in the shops allotted to them at Municipal Market, Coonoor, The Nilgiris. The petitioners state that they spent hefty amount from their earning for maintenance and renovation of the shops. The petitioners further state that they were regular in payment of rent to the Municipality. While so,

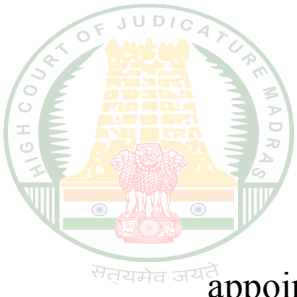


W.P.Nos.23317 of 2025 etc batch

WEB COPY

the respondent issued an impugned eviction notice on 12.06.2025, to the petitioners to vacate their shops for the purpose of demolition and reconstruction of the market complex. The petitioners state that the impugned notices for eviction were issued abruptly without giving reasonable time to the petitioners for relocation. Therefore the petitioners submitted a representation on 20.06.2025 to the respondent to withdraw the impugned notices by expressing their concerns on the various issue raised therein. However, there was no response from the respondent and hence the petitioners were constrained to file the above writ petitions for the aforesaid reliefs.

3. When the matter was taken up for hearing on 21.07.2025, the learned counsel appearing for the petitioners submitted that even without providing basic amenities like toilets, fencing of the temporary shops, parking facilities for the vendors and the general public etc., the respondent sought to evict the petitioners from the market complex and relocate them in the temporary shops. The learned Special Government Pleader disputed the petitioners counsel submission. This Court



W.P.Nos.23317 of 2025 etc batch

WEB COPY

appointed an Advocate Commissioner to inspect the location of the temporary shops and to submit a report on the basic amenities provided therein. On 12.08.2025, the learned Advocate Commissioner submitted his report pointing out various deficiencies with respect to the basic amenities provided by the respondent. Thereafter on 20.08.2025, the respondent filed the status report stating that the deficiencies pointed out by the learned Advocate Commissioner were rectified and all pending works were completed. In the status report, the respondent also furnished details of the locations and the nature of businesses identified for relocation of the 324 shops in the Coonoor market complex.

4. The learned counsel for the petitioners submitted that though the status report reflected that all deficiencies pointed by the learned Advocate Commissioner were rectified, the facts remained otherwise.

5. The learned Special Government Pleader on the other hand submitted that if, the project is not commenced immediately then it would get further delayed due to the onset of the monsoon resulting in



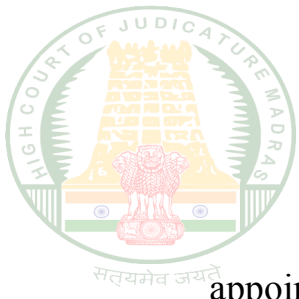
W.P.Nos.23317 of 2025 etc batch

WEB COPY

escalation of project costs. The learned Special Government Pleader further submitted that since adequate amenities were provided, the petitioners should be directed to vacate the Coonoor market complex immediately.

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

7. It is undisputed that the Government of Tamil Nadu has allotted Rs.41.50 crores for the construction of new daily market shopping complex for the Coonoor Municipality. A tender process was conducted, contractor was identified and work order was also issued stipulating the completion period as within two years from 06.11.2024 for demolition and reconstruction of the market complex. The petitioners do not dispute that the market complex needs immediate demolition and reconstruction. These writ petitions were filed solely on the ground that sufficient time was not granted to the petitioners for relocation and that the temporary place identified for relocation did not have basic amenities. It was only to address the petitioners grievance an Advocate Commissioner was



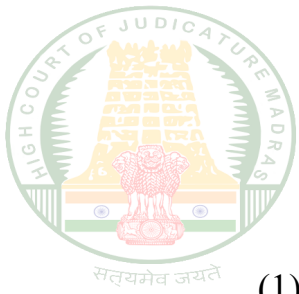
W.P.Nos.23317 of 2025 etc batch

WEB COPY

appointed and report was sought for. It is the respondent's specific case that all the deficiencies pointed out by the learned Advocate Commissioner were rectified and the incomplete works were also completed.

8. In my view, once the petitioners admit that the Coonoor market complex needs demolition and reconstruction it would be in nobody's interest to delay the project of demolition and reconstruction of the market complex. As rightly contended by the learned Special Government Pleader if, the work is not commenced immediately, the monsoon which is round the corner would set in and the project would be further delayed resulting in escalation of project costs.

9. In view of the above said facts and circumstances of the case, this Court is inclined to issue the following directions:-



W.P.Nos.23317 of 2025 etc batch

WEB COPY

(1)The respondents shall issue the allotment order for the temporary shops to the petitioners within a period of two weeks from the date of receipt of a copy of this order.

(2)On receipt of the allotment order for the temporary shops, the petitioners shall vacate the shops from the market complex within a period of one week thereafter and hand over the vacant possession to the respondents.

(3)The petitioners are permitted to apply for fresh license depending on the expiry of license period.

(4)The respondents shall ensure that all concerns of the petitioners regarding basic amenities in the temporary location are addressed promptly.

(5)The respondents are directed to allot the temporary shops to the petitioners on the basis of the nature of business conducted by them and other lessees.

(6)The petitioners are directed to pay the additional remuneration of Rs.50,000/- (Rupees Fifty Thousand Only) to the learned Advocate Commissioner.



W.P.Nos.23317 of 2025 etc batch

WEB COPY

10. With the above observation and direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

26.08.2025

dpq
Index: Yes/No
Speaking order / Non speaking order
Issue order copy on 08.09.2025

To

1. The Regional Director
of Municipal Administration,
Tirupur.

2. The Commissioner
Coonoor Municipality
The Nilgiris.



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W.P.Nos.23317 of 2025 etc batch

N. MALA, J.

dpq

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