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W.P.Nos.23276 of 2025 etc batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.Nos.23276, 23277, 23279, 23280 & 23281 of 2025
and WMP.Nos.26144, 26145, 26146,
26147 and 26149 of 2025

W.P.No.23276 of 2025

Avanth Kumar

... Petitioner

Vs

The Commissioner
Coonoor Municipal Office
Mount Road, Coonoor
The Nilgiris.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari to call for the records of the respondent made in Na.Ka.No.1836/2024/F1 dated 12.06.2025 in respect of the shop No.12A/3, Municipal Market, Coonoor, The Nilgiris and to quash the same.



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For Petitioner : Mr.N.Ramesh
in all WPs

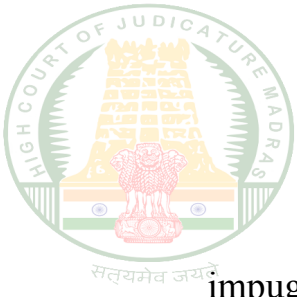
For Respondents : Dr.T.Seenivasan
Special Government Pleader
in all WPs

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, 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

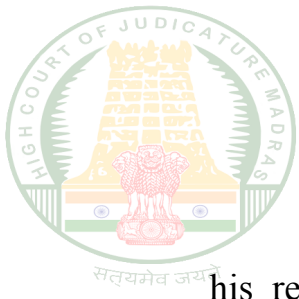


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impugned notices for eviction were issued abruptly without giving reasonable time to the petitioners for relocation. Therefore the petitioners submitted a representation on 20.06.2025 to the respondent to withdraw the impugned notices by expressing 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 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



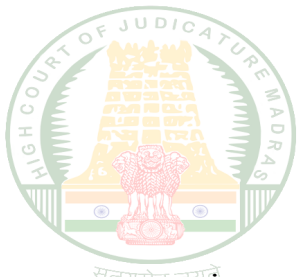
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his report pointing out various deficiencies with respect to the basic amenities provided by the respondent. Thereafter on 20.08.2025, the respondent filed the status report stating that the deficiencies pointed out by the learned Advocate Commissioner 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 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



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immediately.
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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 appointed and report was sought for. It is the respondent's specific case that all the deficiencies pointed out by the learned Advocate



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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:-

(1)The respondent 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



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period of one week thereafter and hand over the vacant possession to the respondent.

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

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

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

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

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N. MALA, J.

dpq

To

The Commissioner
Coonoor Municipal Office
Mount Road, Coonoor
The Nilgiris.

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