



W.P.(MD)No.1749 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.1749 of 2025

and

W.M.P(MD)Nos.1248 to 1250 of 2025

1. P. Velmurugan
2. P.Madhumitha
3. Sugnaya
4. M.Malayalam
5. U.Sathaya
6. V. Annakodi
7. A.Dharman
8. G.Sabarisbabu
9. P.Chellapandi
10. G.Lavanya
11. R.Balamurugan
12. M. Pounraj
13. P.Maharajan
14. S.Semmalar
15. L.Moorthiraja
16. P.Sivankalai

... Petitioners

Vs.

1. The District Collector,
Madurai District
Madurai.

2. The Special Officer/ Block Development Officer (Village Panchayats),
A.Kokkulam Village Panchayat,
Thirumangalam panchayat Union
Madurai District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of relating to the impugned order passed by the 2nd respondent dated 10.01.2025 and quash the same as illegal and unconstitutional, consequently direct the respondents to renew the lease period in favour of petitioners to continue their respective shops in terms of Rule 23 of Tamil Nadu Panchayats (Procedure for Conduction Public Auction of Leases and Sales in Panchayats) Rules, 2001 and in the light of collective representations of the petitioners dated 08.01.2025.

For Petitioners : Mr.J.Pooventherarajan

For R-1 : Mr.T.Amjadkhan
Government Advocate

For R-2 : Mr.P.T.Thiraviyam
Government Advocate

ORDER

Mr.T.Amjadkhan, learned Government Advocate takes notice for the first respondent and Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the second respondent. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.



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2. The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Certiorarified Mandamus, to call for the records of relating to the impugned order passed by the 2nd respondent dated 10.01.2025 and quash the same as illegal and unconstitutional, consequently direct the respondents to renew the lease period in favour of petitioners to continue their respective shops in terms of Rule 23 of Tamil Nadu Panchayats (Procedure for Conduction Public Auction of Leases and Sales in Panchayats) Rules, 2001 and in the light of collective representations of the petitioners dated 08.01.2025.”

3. Heard the learned counsels on either sides and carefully perused the materials available on record.

4. The learned Government Advocate appearing for the second respondent would submit that this is the second round of litigation, and this Court has already dealt with the same matter in W.P.(MD)No.25461 of 2023. In the aforesaid writ petition, this Court directed the petitioners to vacate the premises of the aforesaid bus stand on or before 31.01.2024. It was also made clear by the order of this Court that the respondents are entitled to take possession without any further notice on 01.02.2024. The impugned order was passed solely in compliance with the previous order.



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5. Considering the above submission, this Court finds no necessity to interfere with the impugned order. However, the respondents are directed to give preference to the petitioners and other occupants of the aforesaid building after re-construction and re-tender. The petitioners are directed to vacate the premises on or before 27.02.2025.

6. With the above said direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

22.01.2025

NCC : Yes / No
Index : Yes / No
jbr

TO:-

1. The District Collector,
Madurai District
Madurai.

2. The Special Officer/ Block Development Officer (Village Panchayats),
A.Kokkulam Village Panchayat,
Thirumangalam panchayat Union
Madurai District.



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L.VICTORIA GOWRI, J.

jbr

Order made in
W.P.(MD)No.1749 of 2025

Dated
22.01.2025