



W.P.(MD)No.5286 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5286 of 2025

and

WMP (MD) Nos.3877 to 3878 of 2025

B.Vadivel

: Petitioner

Vs.

The Executive Officer,
Kamuthi Selection Grade Town Panchayat,
Kamuthi,
Ramanathapuram District.

: Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for the records relating to the impugned order passed by the respondent in Na.Ka.No. A2/351/2024 dated 6.2.2025 and quash the same as illegal.

For Petitioner : Mr.T.Veerakumar

For Respondent : Mr.A.Kannan

Additional Government Pleader



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ORDER

The writ petition has been filed challenging the respondent's proceedings dated 06.02.2025, which directs the petitioner to vacate Shop Nos. 4, 6, and 9 and hand over them within 20 days.

2. The learned counsel for the petitioner submits that the Shop No.4 at Kamuthi Bus Stand was initially allotted to his late father, K. Bose, who operated a tea stall for 32 years. In 2020, due to his father's ill-health, the petitioner took over the operation of the tea stall. The petitioner has consistently paid the lease amount, most recently on 27.12.2024, for which receipts were issued and the lease period extended for one year. Despite paying the lease amount and having the lease extended, the respondent issued an impugned order on 06.02.2025, directing the petitioner to vacate the shop within 20 days, following a petition filed by the petitioner's siblings. Aggrieved by the same, the present writ petition has been filed.



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3. The learned Additional Government Pleader appearing for the respondent submitted that the petitioner's father had two wives and the petitioner is the elder son of the first wife. He further submitted that objections have been raised by the other legal heirs of the late K. Bose regarding the petitioner's claim. There may be a possibility to permit the petitioner to run to continue the shop, provided if there is no objection received from the other legal heirs.

4. Heard the learned counsel for the parties and perused the materials available on record.

5. Upon careful consideration of the submissions made by both parties, this Court directs the respondent to issue notice to the other legal heirs of the late K.Bose, seeking their objections, if any, to the petitioner's claim, within a period of one month and shall pass appropriate orders within three months thereafter. Till such time, the *status quo* shall be maintained between the parties.



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6. This Writ Petition is disposed of with the above direction.

No Costs. Consequently, connected miscellaneous petitions are closed.

27.02.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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