



W.P.(MD)No.7621 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.7621 of 2025
and WMP (MD) Nos.5768 & 5769 of 2025

M.Maheswari

... Petitioner

Vs.

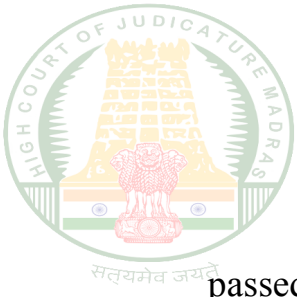
1. The Commissioner,
Agricultural Marketing and Trade
Department,
Industrial Estate,
Guindy,
Chennai - 600 032.

2. The Joint Director of Agricultural,
(Agricultural Produce Market),
Door No. 145a,
Anna Nagar,
Madurai -625 020.

3. The Secretary,
Madurai Marketing Committee,
Agricultural Produce Market,
Door No.145a,
Anna Nagar,
Madurai - 625 020.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorari calling for the records relating
to the impugned order dated 25.02.2025 in Na.Ka.No. Aa2/2309/2014



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passed by the third respondent and quash the same.

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For Petitioner :Mr.J.Barathan

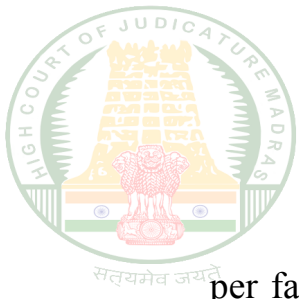
For Respondents :Mr.B.Saravanan
Additional Government Pleader for R1 to R3

ORDER

An order dated 25.02.2025 cancelling the allotment of Shop No.L 257, is challenged in this writ petition.

2. Learned counsel for the petitioner submits that the said shop was allotted to the petitioner's husband on 24.11.2006. He also states that the petitioner's husband passed away on 13.10.2024 even prior to the issuance of the impugned order. Since such order was issued without notice to the petitioner, the petitioner challenges the same. Learned counsel relies upon orders of this court in earlier writ petitions wherein such cancellations were challenged on the ground of breach of principles of natural justice.

3. Learned Additional Government Pleader relies upon the counter-affidavit of the third respondent. He points out that the terms and conditions of allotment specify that there should be only one application



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per family. On account of the breach of such condition, he submits that the order of cancellation was issued. As noticed earlier, the petitioner has stated in the affidavit at paragraph 2 that her husband passed away on 13.10.2024. The impugned order has been issued thereafter on 25.02.2025. There is no indication in the impugned order that notice was issued to the petitioner or even her husband. It should also be noticed that the petitioner has stated that she and her husband lived separately and not with her father-in-law. On account of non-issuance of notice, the petitioner was not in a position to provide any explanation for the alleged breach of condition. Therefore, the impugned order cannot be sustained.

4. For reasons aforesaid, the impugned order dated 25.02.2025 is set aside and the matter is remanded for reconsideration. After providing a reasonable opportunity to the petitioner, the respondents are directed to issue a fresh speaking order within three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

14.10.2025

NCC :No
Internet :Yes
Index :No
PKN



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SENTHILKUMAR RAMAMOORTHY, J.

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