



W.P.(MD) No.10881 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.10881 of 2025

and

W.M.P.(MD) No.8105 of 2025

D.Sagaya Mary

... Petitioner

-VS-

1.The Madurai Corporation
through its Commissioner
Anna Maligai, Madurai

2.The Assistant Commissioner
Zone-1
Madurai Corporation

3.Sangili

4.Annamalai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbear the respondents 1 to 3 from vacating petitioner's licensed road side vegetable shop in Karpaga Nagar 13th Street, Opposite to Pandian Broilers, Alagar Koil Main Road, K.Pudur, Madurai, adjoin the northern wall of the fourth respondent, except under due process of law.



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For Petitioner : Mr.S.Sakthi Siddharth

For Respondents : Mr.K.K.Kannan
Standing Counsel for R1 & R2

ORDER

This writ petition has been filed by the petitioner seeking a writ of mandamus to forbear the respondents 1 to 3 from evicting her from the licensed vegetable shop in Karpaga Nagar 13th Street, Opposite to Pandian Broilers, Alagar Koil Main Road, K.Pudur, Madurai.

2. It is the case of the petitioner that she has licence to run a vending shop at No.2614, Sambakulam, 30th Street, K.Pudur, Madurai, and the petitioner was also issued an identity card to that effect *vide* UID No.TN33623803754010100004235. However, the respondents 3 & 4, at the instance of the respondents 1 & 2, are trying to evict the petitioner from the place in question without following due process of law.

3. Today, when the matter is taken up for consideration, Mr.K.K.Kannan, learned Standing Counsel, appearing for the respondents 1 & 2, submitted that the petitioner has approached this Court only on



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apprehension and in case if the respondent – Corporation intends to take any action for removal of encroachment at the roadside, they would strictly follow the due process of law and put the petitioner on notice and only after affording an opportunity to her, appropriate action will be taken in accordance with law.

4. In the light of the above, there is no necessity to examine the matter further and in the considered view of this Court, this writ petition can be disposed of at the admission stage itself.

5. Accordingly, this writ petition is disposed of by directing the respondents not to interfere with the activities of the petitioner by virtue of the identity card issued to her *vide* UID No.TN33623803754010100004235. However, this will not preclude the respondent – Corporation from taking any action in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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