



W.P(MD)Nos.6717 & 12691 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)Nos.6717 & 12691 of 2019

1.W.P(MD)No.6717 of 2019:

R.Kalirajan

... Petitioner

vs.

1.The Commissioner,
Madurai City Municipal Corporation,
Madurai.

2.The Assistant Commissioner, (Revenue),
Madurai City Municipal Corporation,
Madurai.

3.P.Manoharan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to ensure that the places earmarked for public purposes such as corridors, passages, sit outs or rooms intended to be used as rest room for police, dispensary, cloak room etc., are not being let out so as to make use of the same as shops in the light



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WEB COPY of the order passed by this Court in W.P(MD) No.6139 of 2011 dated 09.12.2011 by considering the petitioner 's representation dated 28.02.2019.

For Petitioner : Mr.P.Saravanan

For RR 1 & 2 : Mr.K.K.Kannan

For R – 3 : Mr.Niranjan S.Kumar

2.W.P(MD)No.12691 of 2019:

G.Seenivasan

... Petitioner

vs.

1.The Commissioner,
Madurai City Municipal Corporation,
Madurai.

2.The Assistant Commissioner, (Revenue),
Madurai City Municipal Corporation,
Madurai.

3.P.Manoharan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to take action against the third respondent for running the Shop No.96-A in Mattuthavani integrated Bus Stand, Madurai District without a valid licence and consequently restore the same as cloak room by considering the petitioner's representation dated 24.05.2019.



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For Petitioner : Mr.Michel Heldon Kumar

For RR 1 & 2 : Mr.S.Vinayak

For R – 3 : Mr.Niranjana S.Kumar

COMMON ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

W.P(MD)No.6717 of 2019 has been instituted to direct the respondents 1 and 2 to ensure that places earmarked for public purposes, such as corridors, passages, sit-outs or rooms intended to be used as rest room for police, dispensary, cloak room etc., are not let out and instead are used for their intended purposes, as shops in the light of the order passed by this Court in W.P(MD) No. 6139 of 2011 dated 09.12.2011 by considering the petitioner's representation dated 28.02.2019.

2.W.P(MD)No.12691 of 2019 has been instituted to direct the first respondent to take action against the third respondent for running shop No.96-A at the Mattuthavani integrated Bus Stand, Madurai District, without a valid licence and consequently restore the same as cloak room, by considering the petitioner's representation dated 24.05.2019.



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3.The licence granted to the third respondent had already been expired, however, the third respondent is paying the rent.

4.The learned counsel appearing for the respondents 1 and 2 would submit that all the shops are going to be auctioned through public auction.

5.Once the licence period has expired, the concerned authorities are bound to conduct a public auction. In the event of such a notification, all eligible persons may participate including the third respondent. However, the Court, in a writ petition, cannot extend the licence period or renew the licence period which has already been expired.

6.Regarding the direction sought for to convert the shop into a cloakroom, it is an administrative decision to be taken by the competent authorities. The Court cannot issue directions in this regard.



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7.In view of the above, eligible persons may participate in the public auction, if any notification has been issued.

8.With these observations, these Writ Petitions stand disposed of.

There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
02.07.2025

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

To

- 1.The Commissioner,
Madurai City Municipal Corporation,
Madurai.
- 2.The Assistant Commissioner, (Revenue),
Madurai City Municipal Corporation,
Madurai.



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)Nos.6717 & 12691 of 2019

DATED : 02.07.2025