



W.P.(MD) No.20009 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20009 of 2018

and

W.M.P(MD)Nos.17788 & 17789 of 2018

S.Saarangapani

.. Petitioner

Vs.

1.The Commissioner,
Trichy Corporation,
Trichy District.

2.The Assistant Commissioner,
Srirangam Division,
Trichy District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent in his proceedings in Na.Ka.No.A1/458/2018 Sri dated 02.08.2018 and set aside the same as illegal and consequently direct the respondents to permit the petitioner to put up temporary occupation in front of his shop situated in N.S.B. road, Trichy City, by following the permission granted to other 40 shop owners in the N.S.B.road, Trichy City.



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For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.Kishore Ram
Standing Counsel

ORDER

The petitioner seeks to quash the order passed by the 2nd respondent in Na.Ka.No.A1/458/2018Sri dated 02.08.2018 and consequently direct the respondents to permit the petitioner to put up temporary occupation in front of the shop situated in N.S.B. road, Trichy City.

2. The petitioner would submit that he is running a fancy and stationary shop in the name and style of School Stotes at Door No.15A, N.S.B road, Trichy. This shop has been in existence for over 40 years having been established by the petitioner's father. The shop has been put up on the land belonging to the Church of South India Association. The petitioner is enjoying the land on the basis of rental agreement which has been renewed periodically.



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3. The petitioner would submit that the land right in front of the shop belongs to the corporation and there are over 30 shops adjacent to the petitioner's shop. Initially, the petitioner's father and other owners had requested permission of the corporation to put up temporary sunshades in front of their shops. This was permitted by order of the respondent corporation, dated 22.01.1991. The corporation had permitted the petitioner's father to put up sunshade to an extent of 13 feet 6 inches and 4 inches. The corporation was also collecting rent for this temporary occupation. After the demise of the petitioner's father, the respondents have not permitted the shop owners to put up the temporary sunshades on their property. The shop owners had approached the 1st respondent and 40 of them had obtained orders to run the shop and obtained permission to have a temporary occupation of the space in front of their respective shops.

4. In view of the above, the petitioner had made a representation dated 17.07.2017 requesting the very same amenity from the 1st respondent. However, the same was not considered. This constrained the



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petitioner to move this Court in W.P(MD)No.23529 of 2017 seeking direction to the respondent to consider the petitioner's representation dated 17.07.2017 and pass orders permitting them to put up a temporary in front of his shop. The same was ordered on 20.12.2017. On 17.01.2018, the petitioner had made a representation to the 1st respondent in person. Since once again there was an inaction on the part of the 1st respondent, the petitioner had issued contempt notice to the 1st respondent calling upon him to implement the order in W.P(MD)No. 23529 of 2017. The same was received and acknowledged by the 1st respondent on 05.07.2018 and on 02.08.2018, the representation was considered and rejected. Therefore, the petitioner is before this Court.

5. Heard the learned counsels on either side.

6. The said portion in which the temporary construction has sought to be made is admittedly the road front. The learned counsel for the respondent would submit that the Hon'ble Division Bench of this Court in W.P(MD)No.13745 of 2023 has issued directions that N.S.B road has



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to be declared as no-vending area and the shops be removed. Such being the case, this Court cannot issue directions to the respondent to permit the petitioner to put up a temporary occupation in front of the shop. Therefore, I see no reason to interfere with the impugned order.

7. Therefore, this Writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

18.09.2025

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

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To

- 1.The Commissioner,
Trichy Corporation,
Trichy District.
- 2.The Assistant Commissioner,
Srirangam Division,
Trichy District.



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P.T.ASHA, J.

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