



WEB COPY

WP Nos. 44370 and 47064 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Nos. 44370 and 47064 of 2025

and

WMP.Nos.49510 and 52598 of 2025

W.P.No.44370 of 2025

S.Gopal

..Petitioner

Vs

1. The Union Territory of Puducherry,
Represented by its Chief Secretary,
Secretariat, Goubert Avenue,
Beach Road, White Town,
Puducherry 605 001.
2. The Commissioner,
Puducherry Municipality,
Puducherry.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents Municipality to allot shop No.12 in the Ground Floor to the petitioner herein in the newly renovated western wing of Anna Thidal Smart city building as per undertaking given by the Respondent Municipality vide its proceedings in Proceedings No.3317/PU.NA/VA.A-2/A, 4/2020 dated 4.3.2021



W.P.No.47064 of 2025

P.Nirmala

...

Petitioner

Vs.

1. The Union Of India,
Represented by Commissioner Cum
Secretary to Government,
Government Of Union Territory Of
Puducherry,
Puducherry.

2.The Director Of Local Administration
Government Of Union Territory Of
Puducherry, Puducherry.

3.The Commissioner,
Pondicherry Municipality, Puducherry.

...

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to allot Shop No.11 (Ground Floor) in Kuber Bazaar, Anna Thidal complex to the petitioner in accordance with her earlier tenancy rights and the assurance contained in the Municipality's communication dated 02.03.2021.

For Petitioner:

Mr.P.Dinesh Kumar
(in W.P.No.44370/2025)
Mr.R.Saravanan
(in W.P.No.47064/2025)

For Respondents:
(in both W.P.'s)

Ms. Usha
Additional Government Pleader
(Puducherry)



COMMON ORDER

W.P.No.44370 of 2025 has been filed seeking a direction to the Respondent Municipality to allot Shop No.12 in the Ground Floor to the petitioner herein in the newly renovated western wing of Anna Thidal Smart city building as per undertaking given by the Respondent Municipality vide its Proceedings No.3317/PU.NA/VA.A-2/A, 4/2020 dated 4.3.2021.

2. W.P.No.47064 of 2025 has been filed to direct the 3rd respondent to allot Shop No.11 (Ground Floor) in Kuber Bazaar, Anna Thidal complex to the petitioner in accordance with her earlier tenancy rights and the assurance contained in the Municipality's communication dated 02.03.2021.

3. The petitioners were occupants of complex called the *Anna Thidal Commercial Complex*. There is no dispute that the said commercial complex belongs to the Puducherry Municipality. The Municipality availed the Smart City Re-Development Project that had been promoted by the Government of Puducherry. It decided to pull down the existing complex and put up the new one in the very same area. The Municipality had assured the Petitioners that once they handover the possession, the existing building will be pull down and new superstructure will be put up and in the new superstructure, the petitioners will be accommodated.



4. The petitioners claim that the new building had been constructed but the process of re-allotment was not done in a proper manner. Hence, they are before this court.

5. A perusal of the proceeding of the Municipality dated 04.03.2021 indicates that the Municipality had held out to the existing shop owners that on re-construction, they will be accommodated in the new complex. However, the proceeding does not indicate that the petitioners will be given the same shops that they were in occupation of, on re-construction.

6. Mr.Dinesh kumar and Mr. Saravanan state that the new shopping complex consists of ground floor and the 1st floor. 24 shops have been constructed in the new complex, whereas the total number of shops in the old building is 15. They plead that unless and until the petitioners are given the same shops they will be put to deep prejudice. Taking into consideration the plea of Mr.Saravavan and Mr.Dinesh Kumar, I called upon the 2nd respondent to come up with the proposal which would be fair to the existing shop owners.

7. The Commissioner of the Puducherry Municipality has filed an affidavit stating that fresh drawal of lots will be conducted exclusively with



respect of 15 municipal shops at Anna Salai-Laporte Street Junction and all the 15 erstwhile shopkeepers including the petitioners herein viz., Mr.Gopal and Ms.Nirmala can participate in the same. By drawing of lots, arbitrariness is ruled out. All erstwhile shopkeepers have been given equal opportunity to participate in the said drawal. Hence, the undertaking given by the Commissioner of Puducherry Municipality in paragraph 11(1) of the affidavit is recorded. These Writ Petitions are disposed of with the following directions:

- (i) The drawal of lots will be held on **04.02.2026** at 11.00 A.M in the office of the Puducherry Municipality.
- (ii) The Puducherry Municipality shall issue notice to all the 15 erstwhile shop owners, including the petitioners to appear on the said date. The Petitioners viz., Gopal and Ms.Nirmala shall be present on the said date.
- (iii) The drawal of lots will be conducted in the presence of responsible officer of the Pondicherry Municipality.

No costs. Consequently, connected Miscellaneous Petitions are closed.

19-01-2026
(1/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

1. The Union Territory of Puducherry,
Represented by its Chief Secretary,
Secretariat, Goubert Avenue,
Beach Road, White Town,
Puducherry 605 001.
2. The Director of Local Administration
Government of Union Territory of Puducherry
Puducherry.
3. The Commissioner,
Puducherry Municipality,
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V.LAKSHMINARAYANAN, J.

arr

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