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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.10978 of 2026

N.Manikandan

... Petitioner

Vs.

1.The Commissioner,
Madurai Municipal Corporation,
Aringar Anna Maligai,
Madurai - 625 002.

2.The Superintending Engineer,
Public Works Department,
Madurai - 625 002.

3 Ayubkhan

...Respondents

[R3 is impleaded vide order dated 05.06.2026]

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to close all the food stalls functioning in the Vandiyur Park, K.K. Nagar, Madurai District and to restrain the visitors from bringing plastic materials into the park and for consequential direction restraining the 1st respondent from installing any amusement structures such as giant wheel, etc., inside the park, and from collecting entry fee from the visitors.



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For Petitioner : Mr.C.Arulvaidvel @ Sekar
For Respondents : Mr.S.Vinayak (R1)
Mr.C.Jeganathan (R2)
Counsel for the State
Mr.Veerakathiravan (R3)
Senior Counsel for
Mr.J.William Christopher

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The Corporation, in the earlier hearing on 17.04.2026, had specifically taken a stand before this Court that no commercial activities would be permitted in the subject area and the water body would be preserved and maintained in its existing form. However, the tender notification subsequently has been issued by the Corporation allowing all sorts of commercial activities, such as establishment of musical fountains, food stalls and amusement facilities contrary to the undertaking given by the Corporation before this Court.

2.This, in our view, is nothing but a clear fraudulent act on the part of the Corporation. Having given an undertaking before this Court in the earlier round of litigation to preserve water body in its original form, while issuing tender, the Corporation has introduced all commercial activities.



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3. Therefore, though the learned Senior Counsel for the third respondent, who is the successful bidder in the tender floated by the Corporation, seeks for vacating the interim stay, we are not inclined to vacate the interim order of stay at present.

4. Since the respondent Corporation invited the third party to participate in the tender process with the assurance to run various commercial activities and consequently collected a substantial amount from them, the respondent Corporation is liable to refund the tender amount, auction deposit and the GST amount paid by the third party.

5. Let the respondent Corporation get necessary instructions in this regard.

6. List on 23.06.2026.

[N.S.K., J.] & [M.J.R., J.]
11.06.2026

Index : Yes/No
Internet : Yes
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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