

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.3414 of 2015

R.Kannaiayan

... Petitioner

vs.

The Commissioner
Palladam Municipality
Palladam
Tiruppur District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus after calling tender No.Na.Ka.No.1422-2014-A1 dated 23.01.2015 and to quash the same insofar as S.No.3 of the tender notice is concerned and consequently direct the respondent to consider the petitioner's representation dated 04.02.2015 and to extend the period of petitioner lease of running the two wheeler parking shed for a further period.

For Petitioner : Mr.M.Gnanasekar

For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner claims to be a licensee for collecting parking charge for Two wheeler in Anna Bus Stand in Palladam Municipality. The petitioner is said to have sent application for extension of his period of lease. The petitioner would state that in terms of the Government Order, he is entitled to submit his request for extension of the licence period.

2. In this regard, a representation has been given on 04.02.2015 requesting the respondent to extend the licence for a further period. The petitioner has also informed the respondent that he will pay 15% increase in the lease amount for the purpose of renewal of licence. In the meantime, the respondent has informed the petitioner that the auction will be conducted on 20.02.2015. Hence, the petitioner has approached this Court by way of this writ petition.

3. After hearing the learned counsel for the petitioner and the learned learned Additional Government Pleader, this Court is of the view that on the grounds raised by the petitioner, the tender notification cannot be quashed. Accordingly, the prayer for quashing the impugned order is rejected and the writ petition is dismissed to that extent. However, there is a representation given by the petitioner dated 04.02.2015 requesting for extension of his licence period. Since the auction is to be conducted only on 20.02.2015, the respondent is directed to consider the petitioner's representation dated 04.02.2015 on merits and in accordance with law on or before 19.02.2015 after examining as to whether the petitioner is entitled for such extension and whether the Government order is applicable to the case of the petitioner and pass a speaking order and communicate the same to the petitioner. No costs. Consequently, the connected miscellaneous petitions are closed.

gpa

-s/d-

Assistant Registrar(CS-II)

Dt:11/2/2015

True Copy

Sub-Assistant Registrar

To

The Commissioner
Palladam Municipality
Palladam
Tiruppur District

+ 1 cc to Mr.M.Ganasekar, Advocate SR 7370

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