



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD) Nos.3854 and 3855 of 2015

and

M.P. (MD) Nos.1 & 1 of 2015

P.K.Selvaraj

... Petitioner in both W.Ps.

Vs.

1. The Assistant Director of Town Panchayats,
Tirnelveli Region, Tirunelveli.

2. The Executive Officer,
Special Grade Town Panchayat,
Tiruchendur,
Tuticorin District.

3. The Chairman (incharge)
Tiruchendur Special Grade Town Panchayat,
Tiruchendur,
Tuticorin District.

... Respondents in both W.Ps.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notification issued by the 2nd respondent in Na.Ka.No.1083/2013, dated 05.03.2015 and quash the same as illegal and direct the respondents to extend the lease period as per G.O.Ms.No.92, Municipal Administration and Water Supply Department, dated 03.07.2007 in respect of Pay and Use Toilet and Two Wheeler Parking Stand respectively situate at Bus Stand Complex, Tiruchendur Town, Tuticorin District.

For Petitioner

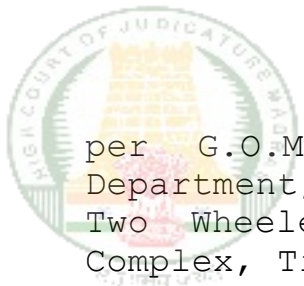
: Mr.M.C.Swamy

For Respondents

: Mr.J.Gunaseelan Muthiah, GA.

COMMON ORDER

This Writ Petitions have been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Notification issued by the 2nd respondent in Na.Ka.No.1083/2013, dated 05.03.2015 and quash the same, as illegal and direct the respondents to extend the lease period, as



per G.O.Ms.No.92, Municipal Administration and Water Supply Department, dated 03.07.2007, in respect of Pay and Use Toilet and Two Wheeler Parking Stand respectively situate at Bus Stand Complex, Tiruchendur Town, Tuticorin District.

2. By consent the Writ Petitions itself is taken up for final disposal, at the admission stage itself.

3. I have heard the learned counsel appearing on either side and perused the materials available on record.

4. In both the Writ Petitions, the petitioner challenged the impugned notice, dated 05.03.2015, issued by the 2nd respondent. According to the respondents, the licence period in respect of in respect of Pay and Use Toilet and Two Wheeler Parking Stand is going to expire on 31.03.2015. Though the petitioner has submitted that the licence period is extended beyond 31.03.2015, he has not produced any records to substantiate his claim. Therefore, the petitioner is permitted to continue as licensee only up to 31.03.2015 and thereafter, he has to vacate the same. The respondents are at liberty to conduct a fresh auction and the petitioner is entitled to participate in the auction to be held by the respondents.

5. In the result, both the Writ Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(C.O.,)

/True Copy/

Sub-Assistant Registrar

To

1. The Assistant Director of Town Panchayats,
Tirnelveli Region, Tirunelveli.
2. The Executive Officer, Special Grade Town Panchayat,
Tiruchendur, Tuticorin District.
3. The Chairman (incharge),
Tiruchendur Special Grade Town Panchayat,
Tiruchendur, Tuticorin District.

+2ccs to Mr.M.C.Swamy, Advocate, in SR. No.13747 & 13748.

+1cc to Mr.J.Guinaseelan Muthiah, Advocate, in SR. No.13411.

W.P. (MD) Nos. 3854 and 3855 of 2015
and M.P. (MD) Nos. 1 & 1 of 2015
19.03.2015