



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2015

CORAM

THE HONOURABLE **MR. JUSTICE B. RAJENDRAN**

W.P (MD) .No.4781 of 2015

and

M.P. (MD) .No.1 of 2015

Karuppasamy Pandian

... Petitioner

Vs.

1.The Assistant Director of Town Panchayat,
Tirunelveli.

2.The Executive Officer,
Sivagiri Special Grade Town Panchayat,
Sivagiri Post,
Tirunelveli District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to forbear the second respondent herein from interfering with the petitioner's right to collect parking fees from the two wheelers stand situated at Sivagiri Selection Grade Town Panchayat bus stand upto 30.06.2015.

For petitioner : Mr.D.Srinivasa Raghavan

For R.1 : Mr.T.R.Janardhanan

Additional Government Pleader

For R.2 : Mr.V.Muruganadham

ORDER

This Writ Petition has been filed by the erstwhile licensee contending that though the auction is for a period from 01.05.2012 to 31.03.2015, he is entitled to continue till June, 2015 for the reason that the auction itself was conducted only on 01.09.2012 and therefore, the auction period will come to an end only on 30.06.2015. Further, he submits that in this regard, he has already paid a sum of Rs.70,000/- (Rupees Seventy Thousand Only) to the erstwhile President. Unfortunately, he died. It is the case of the petitioner, believing his version, he took part in the auction and therefore, he seeks extension.

2. The Additional Government Pleader would only contend that in the notification itself it is clearly mentioned that the
<https://hservices.courts.gov.in/hservices/> 01.05.2012 to 31.03.2015. Now, the tender period has come to an end. Further, the respondents cannot have any say



with the regard to the transaction that took place between the petitioner and the erstwhile Panchayat President. The said averment cannot be testified in this Writ Petition. Unless the tender period is extended or modified by the authority for a specific reason, it can never be extended beyond the period mentioned in the auction notification.

Heard both sides.

3. As rightly pointed by the learned Additional Government Pleader, once the tender period comes to end as per the tender notification issued by the respondent dated 12.04.2012, there is no question of extending the period. Further, it is submitted that he has not even paid the licence fee for the year 2014-2015. The averment that he had paid to the erstwhile Panchayat President is not within the purview of this Writ Petition, for which, he will have to work out his remedy in the manner known to law.

4. In view of the above, this Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

ssm

To

1.The Assistant Director of Town Panchayat,
Tirunelveli.

2.The Executive Officer,
Sivagiri Special Grade Town Panchayat,
Sivagiri Post,
Tirunelveli District.

+1cc to Special Government Pleader Sr NO. 16917

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RG.08.05.2015 2P.4C.