

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.12264 of 2016
and
W.M.P.No.10603 of 2016

M.Mohan
S/o.Murugesan

.. Petitioner

vs.

1.The Assistant Director,
(Panchayats & Audit),
Collectorate, Ariyalur District.

2.Gangai Konda Cholapuram Panchayat,
represented by its President,
Gangai Konda Cholapuram P.O.,
Udayarpalayam Tk,
Ariyalur District - 612 901.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to extend the period of lease of right to collect fees from the users of Sri Thyagarajan Memorial Santhai (Shandy) situated within the territorial jurisdiction of Gangai Konda Cholapuram Panchayat, Cross Street, Gangai Konda Cholapuram, Udayarpalayam Tk, Ariyalur District from 01.04.2016 to 08.06.2016.

For Petitioner : Mr.Pitty Parthasarathy

For Respondents : Mr.R.Rajeswaran,
Special Government Pleader [R1]
Mrs.P.Rajalakshmi,
Government Advocate [R2]

WEB COPY
O R D E R

By consent, the main Writ Petition itself is taken up for final disposal. Heard Mr.Pitty Parthasarathy, the learned counsel for the petitioner, Mr.R.Rajeswaran, the learned Special Government Pleader for the first respondent and Mrs.P.Rajalakshmi, the learned Government Advocate for the second respondent.

2. The petitioner has filed this writ petition praying for issuance of a writ of mandamus directing the respondents to extend the period of lease of right to collect fees from the users of Sri Thyagarajan Memorial Santhai (Shandy) situated within the territorial jurisdiction of Gangai Konda Cholapuram Panchayat, Cross Street, Gangai Konda Cholapuram, Udayarpalayam Tk, Ariyalur District from 01.04.2016 to 08.06.2016.

3. Though several reasons have been assigned by the petitioner in his representation justifying his right to seek for extension, this Court is not inclined to go into those aspects and proposes to issue necessary directions so that the interest of the Panchayat is sufficiently safeguarded. It appears that the second respondent does not have serious objection if the petitioner continues to collect fee till the assembly elections are over.

4. The petitioner seeks for extension on the ground that though the lease period is for 12 months, the respondents have reduced the period to 9 months and hence, the petitioner should be permitted to collect fees for the balance three months. However, without going into those aspects since there appears to be no serious objection from the respondents, this Court permits the petitioner to collect fee till 08.06.2016 without any equity.

This Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

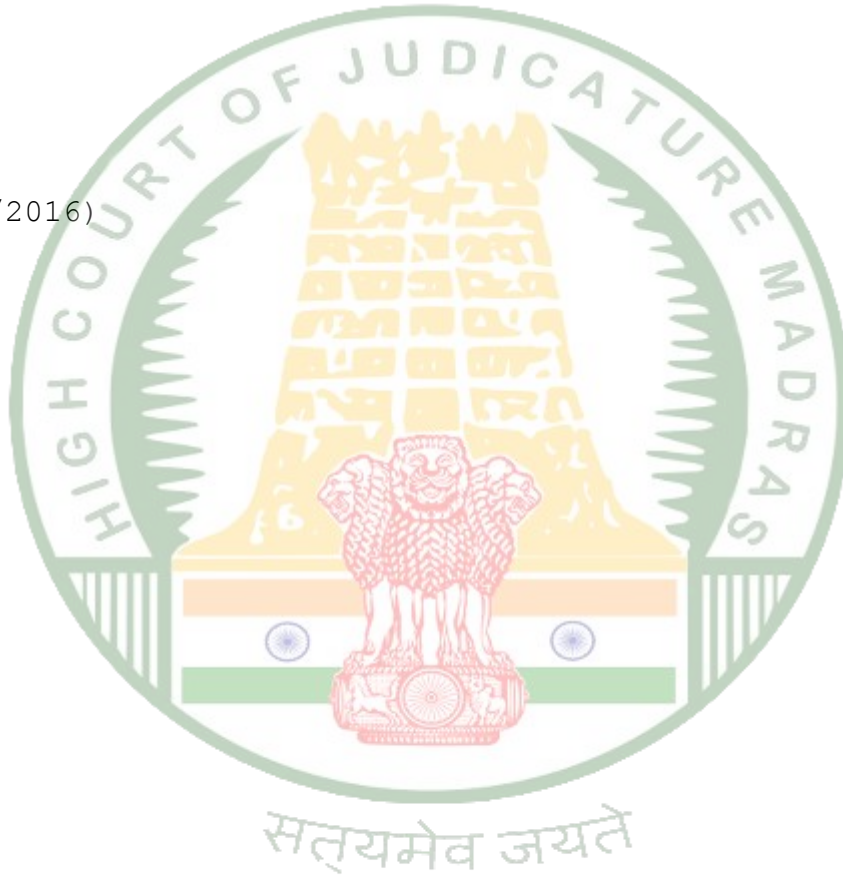
1.The Assistant Director,
(Panchayats & Audit),
Collectorate, Ariyalur District.

2.The President,
Gangai Konda Cholapuram Panchayat,
Gangai Konda Cholapuram P.O.,
Udayarpalayam Tk,
Ariyalur District - 612 901.

+1cc to M/S.Pitty Parthasarathy, Advocate Sr.20433

W.P.No.12264 of 2016

rsk(CO)
srg(01/04/2016)



WEB COPY