



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.22342 of 2016

and

W.M.P.(MD) No.16016 of 2016

P.Ganesan

... Petitioner

-vs-

1.The District Collector,
Office of the District Collector,
Ramanathapuram District.

2.The Commissioner,
Office of the Commissioner,
Rameswaram Municipality,
Ramanathapuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 07.11.2016 and 19.11.2016 and consequently direct the respondents to regulate the Contractor of the temporary seasonal shop to collect the fee as prescribed in the tender cum notice dated 17.11.2016 and restrain the contractor from collecting any additional charges apart from Rs.5,000/- as provided in item 3 of the notification for the temporary seasonal shops in the patta land.

For Petitioner : Mr.R.Senthil Kumar

For 1st Respondent : Mr.T.S.Mohammed Mohideen,
Additional Government PleaderFor 2nd Respondent : Mr.M.Kannan

O R D E R

This Writ of Mandamus has been filed, seeking a direction to the respondents to consider the representations of the petitioner and consequently direct the respondents to ensure that the contractor of the temporary seasonal shop do not collect the prescribed amount in the tender/notice dated 17.11.2016.



2. Heard the learned counsel appearing for the petitioner; the learned Additional Government Pleader, who takes notice for the first respondent and the learned counsel for the second respondent. By consent the writ petition itself is taken up for final disposal at the admission stage.

WEB COPY

3. The petitioner and his friends have taken the property belonging to Sri Jaiyendrapuri Swamigal on permission and after establishing temporary seasonal jobs, they are doing business. They are paying Rs.5,000/- for each shop and totally they are paying Rs.50,000/- for ten shops. They are under the expectation that fee will be reduced, so that they can profitably do the business. But contrary to their expectation, some persons claiming themselves to be the contractors, compelled the petitioner to pay more fee on the ground that they alone will provide electricity through generator.

4. It is relevant to point out that the petitioner is having his own generator for running their business. As extra legal methods are being adopted by some third parties in collecting extra money from the petitioner apart from the fee payable, the petitioner has submitted representations to the respondents to take action against the so-called contractors.

5. The learned counsel for the second respondent would submit that it is agreeable for the second respondent to consider the representation of the petitioner and to pass orders.

6. Accordingly, the second respondent is directed to consider the representations of the petitioner dated 07.11.2016 and 19.11.2016 in the light of the allegations stated therein and to take appropriate action against the persons concerned within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above direction. No costs. Consequently, WMP(MD)No.16016 of 2016 is closed.

Sd/-

Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Ramanathapuram District.



2.The Commissioner,
Office of the Commissioner,
Rameswaram Municipality,
Ramanathapuram District.

WEB COPY

+1cc to Mr.P.Senthil Kumar, Advocate SR.No.71573
+1cc to Mr.M.Kannan, Advocate Sr.No.71870
+1cc to special Government Pleader SR.No.72441

mj

sm:MPA:AR 2:25/11/2016:3P/6C

WP (MD) No.22342 of 2016
23.11.2016