

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**  
**AND**  
**THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

**Writ Petition No.25840 of 2009**

**ORDER:** (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This writ petition is filed to declare the action of the 2<sup>nd</sup> respondent-Municipality, in allowing the 3<sup>rd</sup> respondent to conduct a goat bazaar in Mancherial Municipality on an annual licence fee of Rs.75,000/-, as arbitrary and illegal.

Sri Venkateswar Varanasi, learned counsel for the petitioner, would submit that, in the adjoining Vempally Gram Panchayat, the licence fee being collected for the goat bazaar is Rs.2,01,000/-; when the Gram Panchayat itself is collecting more than Rs.2,00,000/-, there is no justification for the 2<sup>nd</sup> respondent, a Municipality, to permit the 3<sup>rd</sup> respondent to run a goat bazaar on payment of a measly sum of Rs.75,000/- as licence fees; and the Municipality should be directed to enhance the annual licence fee for a sum in excess of Rs.2,01,000/- being collected by the Vempally Gram Panchayat.

While the purpose in filing the writ petition is no doubt laudable, as it intends to ensure an increase in revenue to the Municipality, the quantum of licence fee to be collected for a goat bazaar is for the Municipality to decide; and this Court would not fix the licence fee in proceedings under Article 226 of the Constitution of India.

As the Gram Panchayat is said to be collecting a higher licence fee which, according to Sri Venkateshwar Varanasi learned counsel for the petitioner, is nearly thrice the amount being collected by the Mancherial Municipality, we consider it appropriate to permit the petitioner to submit a representation to the 2<sup>nd</sup> respondent in this regard within three weeks from today. On such a representation being submitted, the 2<sup>nd</sup> respondent shall examine the representation and take a decision thereupon, at the earliest and, in any event, within two months from the

date of the receipt of the representation. The decision taken by the 2<sup>nd</sup> respondent shall be communicated to the petitioner.

The Writ Petition stands disposed of accordingly. Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

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**(RAMESH RANGANATHAN, ACJ)**

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**(A.SHANKAR NARAYANA, J)**

06<sup>th</sup> December, 2016  
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**Date: 06.12.2016**