



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.21768 of 2017

and

W.M.P (MD) No.18056 of 2017

A.Saravanan

... 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

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents not to collect any exorbitant charges apart from Rs.5,000/- as provided in item 3 of the notification dated 06.11.2017 for the temporary seasonal shops in the patta land by considering the petitioner's representations dated 15.11.2017 and 20.11.2017.

For Petitioner

: Mr.R.Senthil Kumar

For Respondents

: Mr.M.Alagathevan,

Special Government Pleader for R.1

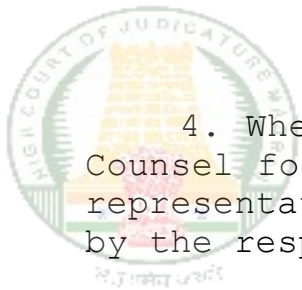
Mr.M.Kannan for R.2

O R D E R

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the first respondent and Mr.M.Kannan, learned Counsel takes notice for the second respondent.

3. Alleging that the successful bidders are generally collecting exorbitant rates, for the seasonal temporary shops, more than the one prescribed by the authorities, the petitioner has submitted several representations before the authorities seeking their intervention, which according to him, is kept pending, without any action. In the meanwhile, the auction for the seasonal temporary shops in respect of the makeshift shops, was scheduled to be held on 24.11.2017 and hence, he is before this Court for the aforesaid relief.



4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 20.11.2017 is disposed of by the respondents, on merits.

5. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 20.11.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order. It is needless to mention that if the successful bidders are collecting exorbitant rates more than the one fixed by the authorities, necessary action should be initiated against them by the authorities concerned, in the manner known to law.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/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.

+1cc to Special Government Pleader, SR.No. 89915
+1cc to M/S.R.Senthil Kumar, Advocate SR.No. 89420
+1cc to M/S.M.Kannan, Advocate SR.No. 89449

W.P (MD) No.21768 of 2017
27.11.2017

GK

JM/JC/SAR 1/08.12.2017/2P/6C