



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 19.01.2017

CORAM

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

W.P (MD) No. 866 of 2017

WEB COPY

M. Saravanakumar

..Petitioner

Vs

The Commissioner,
Madurai Corporation,
Madurai.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent herein to permit the tourist buses to park at 'Bharathiyar Shopping Complex', to locate the parking places in the 70 feet BY-Pass Road from Fathima College to Jeyam Theatre (Nataraj Theatre) and to extend the period of licence for compensating the losses incurred by the Petitioner by considering the Petitioner's representation dated 19.11.2016.

For Petitioner

:M/s.D.Nallathambi

For Respondent

:Mr.R.Prabhu Ramachandran
Standing Counsel

O R D E R

This Writ Petition is filed seeking for a mandamus directing the respondent herein to permit the tourist buses to park at 'Bharathiyar Shopping Complex', to locate the parking places in the 70 feet By-Pass Road from Fathima College to Jeyam Theatre (Nataraj Theatre) and to extend the period of licence for compensating the losses incurred by the Petitioner by considering the Petitioner's representation dated 19.11.2016.

2.Mr.Prabhu Ramachandran, learned standing Counsel takes notice for the respondent/Corporation.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.In this Writ Petition, though the Petitioner is seeking for permission to collect parking fees from the buses parked at 'Bharathiyar Shopping Complex' as per the terms of licence, in effect, he is seeking extension of the licence period, which is admittedly going to end on 31.03.2017.

<https://hcservices.ecourts.gov.in/hcservices/> 5.Mr.Prabhu Ramachandran, learned counsel for the respondent/Corporation submitted that the Petitioner is collecting the parking fees from the buses parked at Bharathiyar Shopping Complex as well and therefore, the contention of the Petitioner to that effect is not correct. He further submitted that since the right to collect



the parking fees by way of issuing licence is to be granted only by way of public auction, the Petitioner cannot seek for extension of the licence period, which is going to be over by 31.03.2017.

6. Upon considering the above said submissions of the learned counsels appearing on either side, this Court is of the view that the Petitioner is not entitled to seek for renewal or extension of licence beyond the licence period as a matter of right. However, if there is no other impediment, the Petitioner can take part in the auction to be conducted for the future licence period.

7. With the above observation, the writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

/TRUE COPY/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Madurai.

+1 cc to MR.D.NALLATHAMBI, ADVOCATE, SR NO:3297

+1 cc to MR.R.PRABU RAMACHANDRAN, ADVOCATE, SR NO:3005

vsn

sva/mr/vb/30.01.2017/2p/4c

W.P (MD) No.866 of 2017
19.01.2017