

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.20830 of 2013

and M.P.Nos.1 & 2 of 2013 and 1 of 2014

Gandhi Road Car, Van Drivers and Owners
Welfare Association,
Represented by its Vice President,
R.Masilamani, S/o.Ramaiah Pillai,
No.141, Gandhi Road,
Mannargudi,Thiruvarur District.Petitioner

Versus

The Commissioner,
Mannargudi Municipality,
Mannargudi,
Thiruvarur District. Respondent

Prayer: The Writ Petition is filed under Article 226 of the
Constitution of India, seeking for a Writ of Certiorarified
Mandamus, calling for the records of the respondent in and by
his proceeding in Na.Ka.No.5580/2009/A4 dated 11.07.2013 and
quash the same and consequently direct the respondent not to
conduct any Public Auction pursuant to the impugned orders.

For Petitioner : Mr.V.Muthukamatchi
for MS.P.T.Ramadevi

For Respondent : Mr.P.Srinivas
Standing counsel

O R D E R

This writ petition has been filed by the petitioner-
Association challenging the notification issued by the
respondent-Municipality for collection of parking charges.

2. Heard Mr.V.Muthukamatchi, learned counsel appearing
for the petitioner and Mr.P.Srinivas, learned standing counsel
appearing for the respondent-Municipality.

3.The learned counsel for the petitioner submitted

that the land belongs to the respondent-Municipality. However,

by an order dated 08.03.2005, the respondent has allotted the land to the Association for parking the vehicles of the members of the petitioner-Association. While so, the respondent has issued notification calling for public auction to grant license for collection of parking fees for the above parking area in his proceedings dated 14.10.2010. Immediately, the petitioner submitted a representation and also challenged the notification in W.P.No.26504 of 2010, which was dismissed as infructuous. The learned counsel appearing for the petitioner further submitted that the petitioner has also sent representations dated 21.10.2010, 25.10.2010 and 12.12.2012 in this regard, which were not considered by the respondent.

4. On perusal of the documents annexed in the typed set, it reveals that the impugned notification dated 11.07.2013 was issued for collection of parking charges for a period between 2012 to 2015. Since the period has already lapsed, nothing survives for adjudication. Hence the writ petition stands dismissed as infructuous. However, the respondent is directed to consider the representation of the petitioner before taking any further action. No costs. Consequently, connected miscellaneous petitions are closed.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

The Commissioner,
Mannargudi Municipality, सत्यमेव जयते
Mannargudi,
Thiruvarur District.

- 1 cc to Ms.P.T.Ramadevi, Advocate Sr.No. 22544
- 1 cc to Mr.P.Srinivas, Standing Counsel Sr.No.22441

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RRI 10/04/2018