



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.7471 of 2018

and

W.M.P. (MD) Nos.7137 and 7138 of 2018

R.Saradha

... Petitioner

vs.

1.The District Collector,
Tirunelveli District.

2.The Assistant Director of Panchayath,
Collectorate,
Tirunelveli District.

3.The Executive Officer,
Thisayanvilai Special Grade Town Panchayath,
Thisayanvilai,
Tirunelveli District.

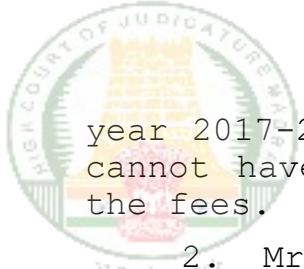
... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Ceritiorarified Mandamus, calling for the records relating to the proceedings in Na.Ka.No.29/2018, dated 28.03.2018, on the file of the Executive Officer, Special Grade Town Panchayat, Thisayanvilai/the third respondent and quash the same and consequently direct the third respondent to consider the representation, dated 27.03.2018 of the petitioner.

For Petitioner	: Mr.S.Siva Thilakar
For RR1 & 2	: Mr.N.Shanmugaselvam Additional Government Pleader
For R3	: Mr.M.Rajarajan Government Advocate

ORDER

This writ petition has been filed to call for the records relating to the proceedings in Na.Ka.No.29/2018, dated 28.03.2018, on the file of the Executive Officer, Special Grade Town Panchayat, Thisayanvilai/the third respondent and quash the same and consequently direct the third respondent to consider the representation, dated 27.03.2018 of the petitioner. Admittedly, the petitioner's license to collect fees in the public toilet for the



year 2017-2018 has been ended on 31.03.2018. As such the petitioner cannot have any legal right to continue with his right to collect the fees.

2. Mr.N.Shanmugaselvam, Additional Government Pleader takes notice for the respondents 1 & 2 and Mr.M.Rajarajan, Government Advocate takes notice for the third respondent.

3.Today, when the matter came up for admission, Mr.M.Rajarajan, learned Government Advocate appearing for the third respondent submitted that an auction notification, dated 28.03.2018 has already been published in the newspapers for the auction, scheduled to be held on 19.04.2018.

4. At this juncture, it is submitted by the learned counsel appearing for the petitioner that the third respondent is yet to return the security deposit made by the petitioner during the time of getting earlier license for the period of 2017-2018.

5. Considering the above facts, the writ petition is disposed of with liberty to the petitioner to participate in the auction scheduled to be held on 19.04.2018. Insofar as the security deposit is concerned, it is always open to the petitioner to seek for return of the same before the concerned authority. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District.

2.The Assistant Director of Panchayath,
Collectorate,
Tirunelveli District.

3.The Executive Officer,
Thisayanvilai Special Grade Town Panchayath,
Thisayanvilai,
Tirunelveli District.

+1cc to M/S.S.Siva Thilakar, Advocate SR.No. 60097

W.P. (MD) No.7471 of 2018