



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

W.P (MD) No.10869 of 2018

and

W.M.P (MD) No.9998 to 10000 of 2018

Guru Bahavan Women Self Help Group
rep. by its President, P.Mariyammal,,
Anbu Nagar, Thirupalai, Madurai - 14.

.. Petitioner

Vs.

1. Government of Tamil Nadu rep. by
the Secretary to Government,
Department of Municipal Administration
and Water Supply, Fort St. George,
Secretariat, Chennai - 600 009.

2. The Madurai Corporation,
rep. by its Commissioner,
Aringhar Anna Maligai,
Madurai - 625 002.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in Ma.Va.3/001240/2018, dated 21.04.2018 on the file of the Respondent No.2 and quash the same as illegal and consequently directing the Respondent No.2 to renew the petitioner's license period of one more year in respect of female toilet in Platform No.1 at M.G.R. Bus stand, Madurai.

For Petitioner : Mr.T.Lajapathi Roy

For Respondent No.1 : Mr.M.Jeyakumar,
Additional Government Pleader.

For Respondent No.2 : Mr.J.Gunaseelan Muthiah

ORDER

Mr.M.Jeyakumar, learned Additional Government Pleader,
<https://hservices.ecourts.gov.in/hservices/> takes notice for the first respondent and Mr.J.Gunaseelan Muthiah,
learned counsel, takes notice for the second respondent. By



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

2.The petitioner self help group had taken maintenance of the toilet situated in Platform No.1 at M.G.R. Bus Stand, Madurai, on being a successful bidder, from the year 2015 and the lease was renewed till 2018 and a fresh tender has been floated by the second respondent, for auctioning the toilets for the ensuing year.

3.The petitioner has come up before this Court with the grievance that at the instructions of the second respondent, vide his proceedings in Ma.Va.3/00624/17, dated 20.12.2017, the petitioner had renovated the entire toilet and white wash the same, in compliance with to Prime Minister's "Clean India" scheme. After having invested so much of money, if the lease is not renewed, that will cause severe financial loss and irreparable injury. Therefore, the petitioner has filed this writ petition, challenging the auction notification, issued by the second respondent.

4.Mr.J.Gunaseelan Muthiah, learned counsel for the second respondent would submit that the lease given in favour of the petitioner was renewed thrice in the past and the petitioner cannot seek renewal, as a matter of right.

5.Heard both sides.

6.After considering the materials placed before this Court, a direction is issued to the second respondent to permit the petitioner also to participate in the auction. It is open to the petitioner to submit the accounts with regard to the money incurred for the renovation of the toilet, entrusted to their group, to the second respondent and on receipt of such accounts, the second respondent may consider the same for reimbursement, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of with the above observations. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Vacation Officer(RTI)

/True Copy/

Sub Assistant Registrar



To

1. The Secretary to Government of Tamil Nadu,
Department of Municipal Administration
and Water Supply, Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai - 600 009.

2. The Commissioner,
Madurai Corporation,
Aringhar Anna Maligai,
Madurai - 625 002.

+ 1 cc TO Mr.T.Lajapathi Roy , Advocate in SR No. 65342

+ 1 cc TO Mr.J.Gunaseelan Muthiah , Advocate in SR No. 65284

mr/smn

AE/SV MMS/SAR1/15.05.2018/3P/5C

ORDER MADE IN
W.P(MD)No.10869 of 2018
and
W.M.P(MD)No.9998 to 10000 of 2018
10.05.2018