



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.18188 of 2018

and

W.M.P.[MD].No.16088 of 2018

V.Kathiresan

: Petitioner

Vs.

1.The Commissioner of Municipal Administration,
Chepauk, Chennai.

2.The District Collector,
Dindigul, Dindigul District.

3.Dindigul Corporation,
Rep. by its Commissioner,
Dindigul, Dindigul District.

4.Murugan

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action against the 4th respondent for the illegal collection of entry fee fixed by the 1st respondent by considering the representation of the petitioner dated 26.07.2018.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader for R.1 & R.2
Mr.J.Lawrence for R.3

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

This writ petition has been filed seeking a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action against the fourth respondent for the illegal collection of entry fee.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned Counsel on either side.



3. Though the grievance of the petitioner is that excess fee is being collected, the learned Counsel for the third respondent has submitted that fee is being collected in pursuant to the tender process initiated and the successful bidder is only collecting the fee, as per law. On a query, the learned Counsel for the third respondent submitted that no excess fee will be collected, other than the one that is being authorised.

4. In view of the above, this writ petition is disposed of, by recording the statement of the learned Counsel for the third respondent. In the event of any excess fee being collected, the third respondent shall see to it that the same is prevented and action is initiated as per law. The petitioner is also directed to pay the legally permitted fee, which is otherwise due upon him to pay. If either the petitioner or any of the occupants did not pay the fee, which is otherwise payable, it is open to the third respondent to take appropriate action. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1.The Commissioner of Municipal Administration,
Chepauk, Chennai.

2.The District Collector,
Dindigul, Dindigul District.

3.The Commissioner,
Dindigul Corporation,
Dindigul, Dindigul District.

+1CC TO MR.S.C.HEROLD SINGH ADVOCATE IN SR.NO.81797.
+1CC TO MR.J.LAWRANCE ADVOCATE IN SR.NO.81940.

GK
DS SKN SAR-1:11.09.2018: 2P/6C

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