



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P.(MD) No.15621 of 2017

P.Anbalagan

... Petitioner

Vs.

1. Madurai City Municipal Corporation,
Rep by its Commissioner,
Aringar Anna Maligai, Out Post,
Thallakulam, Madurai.
2. The Assistant Commissioner (pani) (i/c)
Madurai City Municipal Corporation,
Aringar Anna Maligai, Out Post,
Thallakulam, Madurai.
3. I.Prakash,
Madurai Entertainment,
50, T.P.K.Road,
Main Road, Pykara,
Madurai-14.

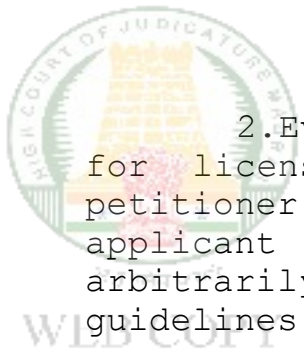
... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records in connection with the impugned order passed by the 2nd respondent in MANEE9/017782/2017 dated 06.07.2017 and quash the same and consequently to direct the 1st respondent to allot the Thamukkam ground only by way of conducting auction if there are more than one offer for the said ground for a particular day.

For Petitioner	: Mr.K.K.Senthil
For R1 & R2	: Mr.R.Murali, Standing Counsel
For R3	: Mr.S.Rajaprabu

ORDER

The writ petition has been filed challenging the order rejecting the request of the petitioner for granting license to conduct exhibition in Thamukkam ground of Madurai Corporation, from 10th December, 2017 to 20th January 2018.



2. Even though the period for which the petitioner sought for license has been expired, the learned counsel for the petitioner would content that when there are more than one applicant for the same period, the respondent corporation arbitrarily choose person on their own whims and fancies and some guidelines may be formed to grant license.

3. Mr. R. Murali, learned counsel, appearing for Madurai Corporation, submitted that now the corporation is decided to amend the relevant rules and also decided to issue new guidelines for granting license in respect of Thamukkam ground, however, if more than one person has applied for license for the same period and if they are qualified, the corporation will conduct lot.

4. Considering the fact that if more than one qualified person seeking license, the corporation cannot choose the person on their own whims and fancies, and in the event of more than one eligible applicant applied for the same period, the respondent corporation is directed to conduct by drawing lot and select the person for granting license based on the lot only.

5. With the aforesaid directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai City Municipal Corporation,
Aringar Anna Maligai, Out Post,
Thallakulam, Madurai.
2. The Assistant Commissioner (pani) (i/c)
Madurai City Municipal Corporation,
Aringar Anna Maligai, Out Post,
Thallakulam, Madurai.

+1cc to Mr. S. Rajaprabu, Advocate Sr.No.47153
+1cc to Mr. K. K. Senthil, Advocate Sr.No.46775
+1cc to Mr. R. Murali, Advocate Sr.No.46760

TA

VB/GT/SAR3/27.02.2018/2P/6C

W.P (MD) No.15621 of 2017
06.02.2018