



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.23142 of 2017andW.M.P.(MD)Nos.19450 to 19452 of 2017

Maria Tours & Travels,
Rep. by S.Maria Viagulam,
S/o.M.Savarimuthu,
Having Office at Hotel Gangai,
41, West Perumal Maistry Street,
Madurai-625 001.

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Tourism Development Corporation,
No.2, Walaja Road, Chennai-600 002.

2.The General Manager,
Tamil Nadu Tourism Development Corporation,
No.2, Walaja Road, Chennai-600 002.

3.The Assistant Chief Manager (Hotels),
Tamil Nadu Tourism Development Corporation,
No.2, Walaja Road, Chennai-600 002.

4.The Regional Manager,
Tamil Nadu Tourism Development Corporation,
Hotel Tamil Nadu, West Veli Street,
Madurai-625 001.

... 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 records of the respondents resulting in the third respondent's impugned order dated 05.12.2017 passed in Lr.No.3289/H3/2017 as per note order of the 1st respondent dated 04.12.2017 which is not communicated in so far as stipulating conditions No.3 and 4 in the order and quash the same in so far as it affects the petitioner and directing the respondents to permit to continue the Travel desk and park one vehicle inside the premises of Tamil Nadu Tourism Development Corporation, Madurai - 1 and 2 inconsonance with previous agreement by considering the petitioner's representation dated 11.12.2017 and 13.11.2017.

ORDER

Aggrieved by the conditions imposed in the order appointing the petitioner as a Tour operator by the third respondent, the present Writ Petition has been filed by the petitioner.

WEB COPY

2. According to the petitioner, the Petitioner was appointed as a Tour Operator for Tamil Nadu Tourism Development Corporation for picking up and dropping tourists from Tamil Nadu Hotel at Madurai. In the appointment order two specific conditions were imposed that the petitioner should not park the vehicle in the hotel premises and should keep a travel desk in the Hotel. According to the petitioner, even though they are permitted to pick up and drop the guests from the hotel, they have no other place to park their vehicle. Apart from that except Madurai, in all other places, the respondents are permitting the tour operators to park the vehicle in the hotel premises and the petitioner alone discriminated.

3. The respondent has filed counter affidavit stating that in Hotel Tamil Nadu in Madurai, only a small place is available to an extent of 1260 sq. Meters and there are more than 43 rooms and the guests, who are staying in the above rooms have to park their vehicle inside the Hotel Premises and only a small parking facility is available there. In such circumstances, the respondents is not in a position to accommodate the petitioner vehicles in the parking area. Apart from that the respondent has also taken a decision not to permit any Tour operators to park the vehicle inside the hotel premises of the corporation.

4. I have heard the learned counsel for the petitioner and the learned counsel for the respondents.

5. From perusal of the records, it is seen that the petitioner is only permitted to pickup and drop the guests stayed in the hotel and they cannot claim any right to park their vehicle inside the hotel premises. Apart from that, it is also submitted that in all other places including Madurai, now the respondents have decided not to allow any of the tour operator's vehicle to park in the hotel premises, so the petitioner also cannot claim any discrimination.

6. In the above circumstances, the relief sought by the petitioner cannot be granted. Hence, this Writ Petition is dismissed. No costs. Consequently, W.M.P. (MD) Nos. 19450 to 19452 of 2017 are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/



To

+1cc to M/S.C.Lakshmanan, Advocate SR.No. 44257

WEB COPY

W.P (MD) No.23142 of 2017
24.01.2018

ta

JM/SV MMS/SAR 1/27.02.2018/3P/2C