

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.8118 of 2020
and W.M.P.No.9640 of 2020

S.Thiyagarajan,
S/o.Sundaram,
No.6, Vanniyar Othavadai Street,
Madhuranthagam, Chengalpet.

...Petitioner

vs.

1.The Secretary,
Municipal Administration,
Saint George Fort,
Chennai - 600 009.

2.The Commissioner,
Commissioner of Municipalities,
Madurantakam.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records relating to the notice dated 10.03.2020 in Na.Ka.No.39/18/m 1 passed the second respondent, quash the same.

For Petitioner : Mr.J.Sudhakaran

For Respondents : Mr.S.N.Parthasarathi
Government Advocate for R1
: Mr.T.Srinivas for R2

सत्यमेव जयते

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This writ petition has been filed challenging the notice issued by the second respondent dated 10.03.2020 calling for a fresh tender, on the ground that the license of the petitioner is coming to an end only on 08.09.2020.

2. When the matter came up for admission on 06.07.2020, this Court passed the following order.

"Mr.S.N.Parthasarathi, learned Government Advocate appears and takes notice for the first respondent.

2.Mr.T.Srinivas, learned counsel appears and takes notice for the second respondent.

3.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4.It is brought to the notice of this Court that the petitioner is due to pay a sum of Rs.6,41,573/- towards the lease amount up to 31.03.2020.

5.There shall be an order of interim stay subject to the condition that the petitioner pays the sum of Rs.6,41,573/- to the second respondent within a period of six weeks from today.

6.Post this case under the caption "for reporting compliance" on 17.08.2020"

3. The above order was passed mainly on the ground that the petitioner himself had accepted in the affidavit filed in support of the writ petition that he is due and payable to the respondent a sum of Rs.6,41,573/-.

4.Today when the matter is posted for "reporting compliance". The learned counsel for the petitioner submitted that the petitioner is not in a position to pay the admitted amount due to financial crisis.

5.In view of the non-compliance of the order passed by this Court dated 06.07.2020 and the petitioner not having paid the admitted amount, this Court is not inclined to interfere with the notice dated 10.03.2020 issued by the second respondent.

6. In the result, this writ petition is disposed of. No cost. Consequently connected miscellaneous petition is closed.

Sd/-
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Assistant Registrar

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Sub Assistant Registrar

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To

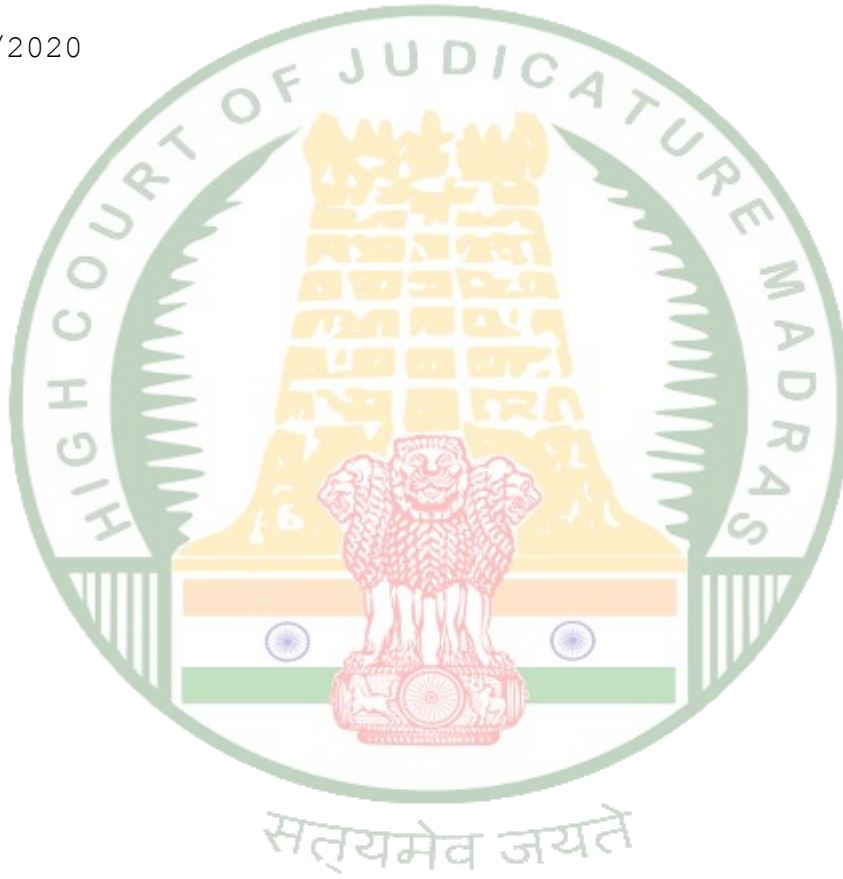
1. The Secretary,
Municipal Administration,
Saint George Fort,
Chennai - 600 009.

2. The Commissioner,
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Madurantakam.

+1cc to the Government Pleader, S.R.No.26996

W.P No.8118 of 2020
and W.M.P.No.9640 of 2020

VG II (C0)
KKV/28/08/2020



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