



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2020

CORAM:

**THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN**

**W.P (MD) NO.6577 of 2020**

WEB COPY

V.P.Arumuga Perumal

:Petitioner

.vs.

The Commissioner,  
Manapparai Municipality,  
Manapparai,  
Tiruchirappalli District.

: Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent herein to consider the Petitioner's Written representation, dated 10.3.2020 and pass orders in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Chandrakumar

For Respondent : Mr.J.Lawrance  
Standing Counsel

### **O R D E R**

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the respondent herein to consider the Petitioner's Written representation, dated 10.3.2020 and pass orders in accordance with law within the time stipulated by this Court.

2.By consent of both parties, the Writ Petition is taken up for final disposal.

3.The Petitioner is aggrieved by the fact that according to him, an amount of Rs.3,47,140/- which is payable by the respondent/Manapparai Municipality to him had not been paid. The Petitioner had the benefit of having a lease of a Hotel and on expiry of the lease period, this amount of 3,47,140/-ultimately was payable to him. The Petitioner made representation on 10.3.2020. Since no action had been taken on the said representation, the Petitioner had come forward with this Writ Petitioner.

4.The Petitioner, in his affidavit, had stated that in the year 2017, he had taken on lease a hotel premises in New Bus-stand Buildings. Licence was issued to him on 1.6.2017.The lease expired on 31.5.2020. The Petitioner, in his affidavit, had also stated that he had paid all the amounts as demanded by the respondent at



regular intervals. He had paid a total sum of Rs.37,88,020/- to the respondent. However, according to the calculation given by the respondent, the actual amount payable is Rs.34,40,880/-. Therefore, the Petitioner has given a representation to the respondent to return the excess amount which he has paid to the tune of Rs.3,47,140/-. Though the representation was given on 10.3.2020, the respondent had passed no orders on the same.

5.I hold that a mandamus can straight-away be issued to the respondent, since according to the Petitioner, the excess money of the Petitioner is with the respondent/Municipality and it would only just and appropriate that a proper enquiry is conducted on this issue and an early solution is given adverting the grievance of the Petitioner.

6.Accordingly, a mandamus is issued to the respondent to issue notice to the Petitioner, invite the Petitioner and afford him an opportunity of personal hearing, examine the records and if the amount is due, pay the amount which the Petitioner has paid in excess. The respondent may commence the enquiry on or before 17.6.2020 and complete the same on or before 31.7.2020.

7.With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn

To

The Commissioner,  
Manapparai Municipality,  
Manapparai, Tiruchirappalli District.

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocates/litigant concerned.

**ORDER MADE IN**  
**W. P (MD) NO. 6577 of 2020**  
**08.06.2020**

**AP (15/06/2020) 2P 2C**

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