



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.12583 of 2020

and

W.M.P. (MD)Nos.10736 and 10737 of 2020

WEB COPY

M.Vettrivel

... Petitioner

Vs.

1.The District Collector,
(Disaster Management Department),
Dindigul District.

2.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Pandiyan Nagar,
Dindigul.

3.The Managing Trustee,
Arulmighu Kottai Mariamman Thirukovil,
Dindigul.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice of the 3rd respondent dated 08.09.2020 inviting for public tender auction published in evening daily news paper Maalai Malar on 15.09.2020 for auction to be held on 01.10.2020 by the 3rd respondent and quash the auction for Serial No.2 and consequently direct the respondents to extend the petitioner's present contract period for one year from 30.06.2020 without collecting amount due to Covid-19.

For Petitioner : Mr.M.S.Suresh Kumar

For Respondents : Ms.J.Lakshmi Prasanna

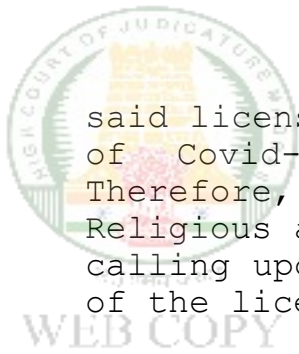
Government Advocate for R1 & R2

Mr.S.Monahar for R3

O R D E R

Heard the learned counsel appearing for the writ petitioner, the learned Government Advocate appearing for the first and second respondents and the learned standing counsel appearing for the third respondent.

2.The writ petitioner was granted license to collect the hair offerings made by the devotees to the third respondent temple. The petitioner had remitted a sum of Rs.6,65,000/- for obtaining the



said license. The license period expired on 30.06.2020. On account of Covid-19 outbreak, the temple was closed for dharshan. Therefore, the petitioner lost 103 days. The Commissioner, Hindu Religious and Charitable Endowments Department had given an advisory calling upon the executive officers/trustees to consider the request of the licensee for extension of the period.

3. In fact in the light of the said advisory, I had given a direction to quite a few temples, calling upon them to extend the license period one hundred and three days more. The third respondent temple is managed by a hereditary trustee. Since the facts are beyond dispute, I am of the view that the petitioner can also be granted the very same benefit which other licensees in other temples have been permitted to enjoy. The cause of action for filing the writ petition is the tender notification issued by the third respondent. The tenders are to be opened on 01.10.2020 in the presence of the Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Dindigul.

4. I am of the view that the tender notification need not be interfered with. The tender process can go on. The petitioner also can take part in the tender process. The highest bidder can be granted license and the period of license will commence from 03.01.2021 and it will conclude on 30.06.2021. In other words, the successful tenderer can take the license for period commencing from 03.01.2021. The petitioner's license stands extended upto 02.01.2021.

5. The writ petition is disposed of on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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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 advocate/litigant concerned.



To:

1.The District Collector,
(Disaster Management Department),
Dindigul District.

2.The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Pandiyan Nagar,
Dindigul.

+1 CC to Mr.M.S. SURESHKUMAR, Advocate (SR-18182[F] dated
28/09/2020)

+1 CC to SPL GP (SR-18232[F] dated 28/09/2020)

W.P. (MD) No.12583 of 2020

25.09.2020

VB (06.10.2020) 3P 5C