



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2020

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THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P. (MD)No.15835 of 2020

V.Thiruselvam

... Petitioner

Vs.

The Commissioner,
Palani Municipality,
Palani, Dindigul District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to extend the license period to operate the vegetable market for twelve months from 21.11.2020 by considering the representation dated 22.07.2020.

For Petitioner : Mr.K.Govindarajan

For Respondent : Mr.L.P.Mauriya,
Standing Counsel.

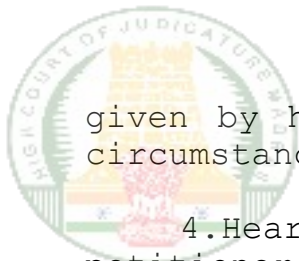
ORDER

(This petition was heard through video conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to direct the respondent to extend the license period to operate the vegetable market for twelve months from 21.11.2020 by considering the petitioner's representation dated 22.07.2020.

2.Mr.L.P.Mauriya, learned Standing Counsel accepts notice on behalf of the respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage.

3.It is the case of the petitioner that he was granted license for a period of three years by the respondent to operate vegetable market at Etteri, Palani. According to him, due to COVID-19 lock-down, he is unable to operate vegetable market from 22.03.2020 onwards. In such circumstances, he has given representation on various dates and last such representation was given on 22.07.2020 seeking for re-fund of the auction amount for the period of lock-down or in the alternative grant extension of licence by another period of 12 months.It is his case that till date the representation



given by him has not been considered by the respondent. In such circumstances, this writ petition has been filed.

4. Heard Mr.K.Govindarajan, learned counsel appearing for the petitioner and Mr.L.P.Mauriya, learned Standing Counsel appearing for the respondent.

5. The learned standing counsel appearing for the respondent, on instructions, would submit that the petitioner is not entitled for any extension of licence and he is entitled if at all only for re-fund. It is also submitted by him that the respondent is processing the application of the petitioner for re-fund of the amount for the month of April and May 2020 to the tune of Rs.1,93,673/- in the light of G.O.Ms.No.298 dated 02.09.2020 issued by the State Government.

6. It is for the respondent to consider the petitioner's representation seeking for re-fund of the amount during the period of lock-down or in the alternative grant extension of licence for a further period, due to COVID-19 lock-down. No positive direction can be issued by this Court.

7. For the foregoing reasons, this Court directs the respondent to consider the petitioner's representation, dated 22.07.2020 seeking for re-fund or in the alternative grant extension of license in respect of operation of vegetable market situated at Etteri, Palani and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Gns

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.

+1 CC to M/s.K.GOVINDARAJAN, Advocate(SR-21828[F] dated 11/11/2020)

W.P. (MD) No.15835 of 2020

10.11.2020

CK(CO)

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