



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WRIT PETITION NO.8889 OF 2021
AND W.M.P.NOS.9425, 9426 AND 9427 OF 2021

V.Ramachandran

... Petitioner

-Vs-

1. The Commissioner of Municipal Administration
No.78, Urban Administration Building
Santhome High Road, MRC Nagar
Raja Annamalaipuram, Chennai - 600 028.

2. The Commissioner
Chidambaram Municipality
Cuddalore District.

3. The Regional Deputy Director
Municipal Administration, Chengalpet

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent impugned Notice in Na.Ka.No. 3439 / 2017 /A1 dated 9.3.2021 and quash the same consequently direct the 2nd respondent to waive the license fee for the total Lockdown period from 1.4.2020 to 30.9.2020 and for the subsequent period the license fee may be reduce revise and re-fix till 31.3.2021.

For Petitioner :Mr.K.Sathish Kumar

For Respondents :Mr.U.Baranidharan, Government
Advocate - for RR 1 and 3
Mr.R.S.Selvan, Government
Advocate-for R2

O R D E R

This writ petition has been filed challenging the impugned notice issued by the first respondent dated 09.03.2021 and for a consequential direction to the second respondent to waive the licence fee during the lock down period from 01.04.2020 to 30.09.2020 and for the subsequent period till 31.03.2021 by



considering the representation made by the petitioner.

2. Heard Mr.K.Sathish Kumar, learned counsel for the petitioner, Mr.U.Baranidharan, learned Government Advocate appearing for respondents 1 and 3, and Mr.R.S.Selvan, Government Advocate appearing for the second respondent

3. When a similar writ petition was filed before this Court, this Court disposed of the writ petition in W.P.No.8940 of 2021 dated 19.07.2021 by issuing certain directions. For proper appreciation, the directions issued by this Court in the said order is extracted hereunder.

"13. In view of the above facts and in order to strike a balance, this Court is of the view that it is for the first respondent / State Government to look into the grievance of the petitioner as well as similar type of licencees such as Cycle/Taxi Stands, Weekly Shandies, Daily Markets, Pay and Use Toilets etc., who could not be able to pay the licence amount on account of lockdown due to Covid-19 pandemic situation and shall take appropriate decision, either for complete waiver of licence amount or reduce/revise/refix the licence fee in a manner proportionate with the operation of buses or collect the licence fee in instalments by extending the period of licence. The aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order."

4. The case of the petitioner also falls within the ambit of the direction that was issued by this Court in the above writ petition. Hence, the petitioner is directed to make a fresh representation to the Secretary to the Government, Municipal Administration and Water Supply Department, Fort St.George, Chennai - 600 009 and the same shall be considered in terms of the above order passed in the aforesaid writ petition.

5. The writ petition is disposed of in terms of the above order in W.P.No.8940 of 2021 dated 19.07.2021. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

kst



To

1. The Commissioner of Municipal Administration
No.78, Urban Administration Building
Santhome High Road, MRC Nagar
Raja Annamalaipuram, Chennai - 600 028.

2. The Commissioner
Chidambaram Municipality
Cuddalore District.

3. The Regional Deputy Director
Municipal Administration, Chengalpet.

4. The Secretary to the Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009

+1cc to M/S.R.S.Selvan, Advocate, SR.No.41387

+1cc to Governemt Pleader, SR.No.41514

W.P.No.8889 of 2021

KSM(CO)
PM(06/09/2021)