

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No.19203 of 2020
and W.M.P.Nos.23790 & 23791 of 2020

A.Kumar

...Petitioner

Vs.

1. The District Collector
Salem District
Salem

2.The Assistant Director of Town Panchayat
Salem District
Salem

3.The Executive Officer
Veeraganur Town Panchayat
Veeraganur Post
Gangavalli Taluk
Salem District

...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records of the impugned order in Na.Ka.33/2018 dated 09.11.2020 passed by the 3rd respondent and quash the same and consequently to direct the 3rd respondent to calculate the lease amount for the year 2020-2021 by excluding lock down period of six months i.e. March 2020 to September 2020 towards the Monday weekly vegetable market situated at Veeragaur Village, Gangavalli Taluk, Salem District and reduce the same by considering the abnormal Covid-19 pandemic situation and extend the lease right for next three year term (i.e. 2021-2024) to compensate the loss incurred by the petitioner in the lock down period due to Covid-19 pandemic situation.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.Annai Ezhil
Government Advocate for R1 & R2

Mr.Venkatesh Kumar
Government Advocate for R3

O R D E R

(The case has been heard through video conference)

This petition has been filed by the petitioner, seeking to call for the records of the impugned order in Na.Ka.33/2018 dated 09.11.2020 passed by the 3rd respondent and quash the same and to direct the 3rd respondent to calculate the lease amount for the year 2020-2021 by excluding lock down period of six months i.e. March 2020 to September 2020 towards the Monday weekly vegetable market situated at Veeragaur Village, Gangavalli Taluk, Salem District and reduce the same by considering the abnormal Covid-19 pandemic situation and extend the lease right for next three year term (i.e. 2021-2024) to compensate the loss incurred by the petitioner in the lock down period due to Covid-19 pandemic situation.

2.The petitioner has challenged the impugned order passed by the 3rd respondent vide order dated 09.11.2020 in Na.Ka.33/2018 and seeking for an extension of lease period on the ground of lock down during COVID-19 pandemic period. However, the petitioner requests for reduction of licence fee based on the stand taken by the Government.

3.It is made clear by the 3rd respondent vide order dated 09.11.2020 in Na.Ka.No.33 of 2018 that the reduction of licence fee would be considered based on the stand already taken. Hence, the petitioner cannot make it as a matter of right to seek for an extension of lease in view of the COVID-19 pandemic situation and that there is no reasons found to interfere with the impugned order passed by the 3rd respondent vide order dated 09.11.2020 in Na.Ka.No.33 of 2018.

4.With the above observation, this Writ Petition stands disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

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To

Sub Assistant Registrar

1. The District Collector
Salem District
Salem

2.The Assistant Director of Town Panchayat
Salem District
Salem

3.The Executive Officer
Veeraganur Town Panchayat
Veeraganur Post
Gangavalli Taluk
Salem District

+1cc to Mr.Rajendiran, Advocate, S.R.No.152

+1cc to the Government Pleader, S.R.No.518

W.P.No.19203 of 2020

pa (CO)
rv(03/02/2021)



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