

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 22230 of 2019
and
W.M.P. No. 21525 of 2019

Mango and Fruit Merchants Association
(Salem Maanagara Maangaai Matrum
Pazha Viyaapaarigal Sangam)

Rep. by its Secretary
S.Umapathy

No.306, Chinnakkadai Street
Salem - 1.

....Petitioner

Vs.

1. Principal Secretary to Government
Municipal Administrative & Water Supply Department
Government of Tamil Nadu
Secretariat, Chennai - 9.

2. The Commissioner
Salem Corporation
Salem - 1.

3. The Assistant Commissioner
Ammamet Zone
Salem Corporation
Salem - 3.

4. N.Subhash

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents 2 and 3 to prevent the Fourth Respondent from collecting Fee / Toll from the members of the Petitioner Association in respect of Sale of Mangoes and other fruits in their respective premises situated in Ward No. AF in Block No. 7 and Ward No. AE in Block Nos. 8 & 9 of Salem Corporation.

For Petitioner : Mr. R.Neelakandan
For Respondents : Mr. M.D.Ilayaraja (For R1)
Government Advocate
Mr. S.Sathish (For R2 & R3)
Mr. G.Sankaran (For R4)

O R D E R

Mr.M.D.Ilayaraja, Learned Government Advocate accepts on behalf of the First Respondent, Mr.S.Sathish, Learned Counsel accepts notice on behalf of the Second and Third Respondents and Mr.G.Sankaran, Learned Counsel accepts notice on behalf of the Fourth Respondent.

2.This Writ Petition has been filed for a direction to the Second and Third Respondents to prevent the Fourth Respondent from collecting Fee / Toll from the members of the Petitioner Association in respect of Sale of Mangoes and other fruits in their respective premises situated in Ward No. AF in Block No. 7 and Ward No. AE in Block Nos. 8 & 9 of Salem Corporation.

3.When the matter was taken up for admission, the learned counsel appearing for the Respondents 2 and 3 as well the Fourth Respondent jointly submitted that the licence is granted by the Corporation for collection of toll fee for loading and unloading fruits and vegetables using lorries and other vehicles in that particular market area. They further submitted that no toll is collected from the shop keepers.

4.Recording the aforesaid submissions made by the Learned Counsel appearing for the respondents 2 and 3 & 4, the Writ Petition stands disposed of, leaving it open to the Petitioner as well as the Respondents to approach the competent authorities for any other relief. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Maya

To

1. Principal Secretary to Government
Municipal Administrative & Water Supply Department
Government of Tamil Nadu
Secretariat, Chennai - 9.

2. The Commissioner
Salem Corporation
Salem - 1.

3. The Assistant Commissioner
Ammapet Zone
Salem Corporation
Salem - 3.

+lcc to Mr.G.Sankaran, Advocate, S.R.No.22682
+lcc to the Government Pleader, S.R.No.22444

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and
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GPL (CO)
CB(18/05/2021)



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