



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.06.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.7280 of 2020

and W.M.P.(MD)Nos.6730 to 6732, 11142 of 2020

Selvakumar

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Additional Director,
Rural Development Department,
Tankasi,
Tenkasi District.

3.Special Officer Ayiraperi Panchayat/
The Block Development Officer,
Tenkasi, Tenkasi District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, calling for the records in pursuant to the impugned notification dated 23.06.2020 issued in M3/1324/2020 by the third respondent and quash the same as illegal and consequently direct the respondents to extent the petitioner's license granted on 04.07.2019 for collecting entry & parking fee among the vehicle enter into old Kuttralam for another one year (i.e. from 01.07.2020 to 31.06.2021).

For Petitioner : Mr.S.Chellapandian

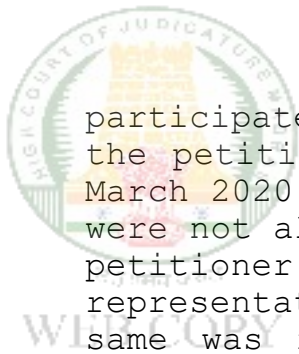
For Respondents : Mr.M.Lingadurai

Govt. Advocate for R1 & R2.

ORDER

This Writ Petition has been filed challenging the tender notification issued by the third respondent dated 23.06.2020 and for a consequential direction to the respondents to extend the license period granted to the petitioner.

2. The case of the petitioner is that the third respondent had called for a tender in the year 2019 for granting license to collect entry fees for vehicles visiting old Kuttralam. The petitioner



participated in the said tender and he was the successful bidder and the petitioner was given license for the period from March 2019 to March 2020. According to the petitioner, due to lock down, Tourists were not allowed to visit the falls and as a result of the same, the petitioner suffered a huge loss. The petitioner, therefore, made a representation seeking for the extension of license period. The same was not considered and instead the tender notification was issued on 23.06.2020 by the third respondent. Aggrieved by the same, the present Writ Petition has been filed before this Court.

3. Heard Mr.S.Chellapandian, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 and 2.

4. The license period that was granted to the petitioner expired on 04.07.2020. The petitioner sought for extension of the license upto 30.06.2021. This Court also while entertaining the Writ Petition, directed the respondents to maintain *status quo* and accordingly, the extension of time that was sought for also comes to an end on 30.06.2021.

5. This Court cannot interfere with the decision taken by the respondents to go for a fresh auction in order to grant license for collection of entry fees for vehicles. The petitioner is bound by the terms and conditions of the tender notification. At the best, the petitioner can participate in the tender called for by the third respondent and the petitioner, cannot as a matter of legal right seek for any extension of license period. The mere fact that the petitioner has sustained loss due to the lock down, by itself will not be a ground for this Court to give a direction to extend the license period. These are administrative decisions which cannot be interfered by Courts in exercise of its jurisdiction under Article 226 of the Constitution of India.

6. In the result, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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,
Tenkasi District,
Tenkasi.

2.The Additional Director,
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+1 CC to M/s.SPL GP (SR-20723[F] dated 30/06/2021)

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TR(07.07.2021) 3P 5C