



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12772 of 2021

WEB COPY

S.Murugan

...Petitioner

Vs.

The Commissioner,
Dindigul Corporation,
Dindigul.

... Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to waive the payment of lease amount for the lockdown period from 01.06.2020 to 31.09.2020 in respect of lease of collection of fee for shops and stalls situated at Bharathipuram Daily Vegetable Market, Dindigul District and refund the waiver amount to the petitioner within the time stipulated by this Court by considering the representation dated 06.02.2021 and for other reliefs.

For Petitioner
For Respondent

: Mr.B.Arun
: Mr.J.Lawrance

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondent to consider the representation made by the petitioner, on 06.02.2021, wherein, the petitioner has sought for the waiver of the payment of the lease amount during the lockdown period and for refund of the amount, within the time stipulated by this Court.

2.The case of the petitioner is that he was granted licence to collect the fees by virtue of being the highest bidder in the auction conducted by the respondent. According to the petitioner, the licence period spanned till the year 2021. The grievance of the petitioner is that he has paid the entire licence fees to the respondent. But, however, due to the pandemic situation, he was not able to collect the fees from Daily Vegetable Market, during the said period. Therefore, the petitioner made a representation, on 06.02.2021, to waive the payment of lease amount for the lock down period and refund the waiver amount to the petitioner or in the alternative to extend the lease period. The representation made by the petitioner was not considered and hence, the present writ petition has been filed before this Court, seeking for appropriate directions.



3.Heard Mr.B.Arun, learned counsel for the petitioner and Mr.J.Lawrance, the learned counsel for the respondents.

4.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the respondent to consider the representation made by the petitioner, on 06.02.2021 and deal with the same on its own merits and in accordance with the relevant Government Orders and take a decision within a period of four weeks from the date of receipt of a copy of this order.

5.The petitioner is directed to make a fresh representation to the respondent along with all relevant documents and also a copy of this order.

6.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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

The Commissioner,
Dindigul Corporation,
Dindigul District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-24235[F] dated 28/07/2021)

+1 CC to M/s.B.ARUN, Advocate (SR-24464[F] dated 29/07/2021)

W.P. (MD) .No.12772 of 2021

Dated:28.07.2021

RK (06.08.2021) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>