



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2021

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P(MD)No.15479 of 2021

and

W.M.P.(MD).No.12379 of 2021

WEB COPY

A.Chandran

... Petitioner

**Vs.**

1.The Assistant Director,  
Town Panchayat Madurai Region,  
Madurai District.

2.The Executive Officer,  
S.Kodikulam Town Panchayat,  
Kumapatty Post,  
Watrap Taluk,  
Virudhunagr.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to extend the lease of Kumapatty Bus Stand Toilet, Virudhunagar granted to the petitioner for another period of one year in view of Covid pandemic by considering his representation dated 23.08.2021.

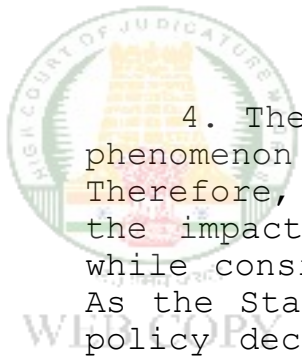
For Petitioner : Mr.Jerin Mathew.M  
For Respondents : Mr.K.S.Selvaganesan,  
Counsel for the State for R1  
: Mr.A.Baskaran for R2

**ORDER**

The petitioner seeks the extension of the licence granted to him in respect of the Kumapatty Bus Stand Toilet on the basis of his representation dated 23.08.2021.

2. The petitioner states that he was the successful bidder at a tender or auction in relation to the maintenance of the aforesaid toilet for the period 2020-2021. The licence period ended on 28.07.2021. During several months of such licence period, it is stated that the petitioner was unable to carry on activities on account of the lock down occasioned by the second wave of the covid-19 pandemic. Consequently, the petitioner was unable to derive the revenue that would have ordinarily accrued from the conduct of the business. The request for extension was made in such facts and circumstances by representation dated 23.08.2021.

3. Mr.K.S.Selvaganesh, learned counsel for the State, accepts notice on behalf of the first respondent and Mr.A.Baskaran, learned counsel, accepts notice on behalf of the second respondent.



4. The Covid-19 pandemic is an unprecedented, once-in-a-century phenomenon which impacted lives and livelihoods across the world. Therefore, the official respondents herein should take into account the impact, including the economic loss caused by such pandemic, while considering and disposing of the petitioner's representation. As the State or an instrumentality thereof, it is necessary that a policy decision be taken which should apply to all those who are similarly situated since the State cannot act in a discriminatory manner.

5. Subject to the above observations, the respondents herein are directed to consider the petitioner's representation dated 23.08.2021 and dispose of the same by a reasoned order within a period of 30 days from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

6. W.P.(MD).No.15479 of 2021 is disposed of on these terms without any order as to costs. Consequently, connected W.M.P.(MD).No.12379 of 2021 is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 Assistant Director,  
Town Panchayat Madurai Region, Madurai District.

2.The Executive Officer,  
S.Kodikulam Town Panchayat,  
Kumapatty Post, Watrap Taluk, Virudhunagr.

+1 CC to M/s.M.JERIN MATHEW, Advocate ( SR-27812[F] dated 01/09/2021 )

+1 CC to M/s.GP ( SR-28079[F] dated 03/09/2021 )

W.P(MD)No.15479 of 2021

and

W.M.P. (MD) .No.12379 of 2021

01.09.2021

RD(13.09.2021) 2P 5C

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