



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.19630, 19634, 19868 and 19872 of 2020

and

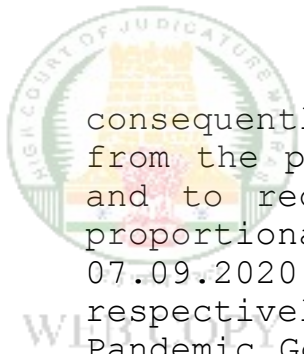
W.M.P. (MD)Nos.16358, 16361, 16556 and 16562 of 2020

V.Manokaran	... Petitioner in W.P(MD)No.19630 of 2020
T.Babu	... Petitioner in W.P(MD)No.19634 of 2020
Dhanasekar.D	... Petitioner in W.P(MD)No.19868 of 2020
Menaka Devi	... Petitioner in W.P(MD)No.19872 of 2020

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Municipal Administration & Water Supply Department,
St.George Fort, Chennai - 600009.
- 2.The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
Sathome High Road, MRC Nagar,
Raja Annamalaipuram, Chennai - 600028.
- 3.The District Collector,
Kanyakumari @ Nagercoil,
Nagercoil - 629001,
Kanyakumari District.
- 4.The Nagercoil Municipal Corporation,
166, Balamore Road, Nagercoil - 629001,
Kanyakumari District, Represented by its
Municipal Commissioner ... Respondents in all W.Ps.

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certioraified Mandamus, calling for the records of the impugned notice of the 4th respondent dated 07.12.2020 made in ப.க.எண் .7841/2017/௨13 respectively, and quash the same and



consequently forbear the respondents from demanding license fee from the petitioners for the period from 24.03.2020 to 06.09.2020 and to reduce, revise and re-fix the license fee in a manner proportionate with the opening time permitted for the period from 07.09.2020 onwards for Municipal Old Shop Nos.9, 3, 8 and 5 respectively, Anna Bus Stand, Nagercoil in view of COVID-19 Pandemic Government Total Lockdown Regulations, as per petitioners representation dated 12.12.2020 respectively.

(in all W.Ps)

For Petitioner : Mr.Dilip Kumar.N

For Respondents : Mr.M.Rajarajan,
Additional Govt. Pleader for R1 to R3

Mr.Athimoolapandian for R4

COMMON ORDER

Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned standing counsel appearing for the fourth respondent/local body.

2.The petitioners herein were given license to run shops in Anna Bus Stand, Nagercoil. The license period comes to an end on 31.03.2021. The petitioners herein informed the Court that they would surrender the vacant possession of the shops to the local body at the evening of 31.03.2021. In the light of this undertaking, the petitioners seek certain reliefs from this Court.

3.This Court while passing orders in W.P.(MD)Nos.19596 of 2020 etc., batch, had held that the licensee should be relieved from their obligations to pay the license fee for the period, when the shops were ordered to be closed. This Court had also permitted the licensee to submit their representations projecting their grievances for the period subsequent to 01.09.2020 till the lockdown was fully lifted. I am of the view that the petitioners herein can be the given very same benefit, since they have undertaken not to insist on renewal of the shop licenses.

4.Recording their undertaking, this Court holds that the petitioners need not pay any license fee for the period from 24.03.2020 to 31.08.2020. The petitioners are also permitted to submit their representations to the local body for re-fixation of their license fee. The local body will forward the same to the first and second respondents along with their note. The first and second respondents are directed to pass orders on the same as expeditiously as possible.



5.The writ petitions are partly allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Secretary to Government,
Municipal Administration & Water Supply Department,
St.George Fort, Chennai - 600009.
- 2.The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
Sathome High Road, MRC Nagar,
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- 3.The District Collector,
Kanyakumari @ Nagercoil,
Nagercoil - 629001,
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KM (12.02.2021) 3P 4C