



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1240 of 2020
& W.M.P.No.1500 of 2020

P.Senthilkumar

... Petitioner

Vs

1. The Director of Town Panchayats,
No.75, Santhome High Road,
Raja Annamalaipuram,
Santhome, Chennai.
2. The Assistant Director of Town Panchayats,
Erode Zone,
Collector Office Building,
Erode.
3. The Special Officer/Executive Officer,
Muthur Town Panchayat,
Muthur, Tiruppur District.

4.C.Govindasamy

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned resolution No.23/2019 dated 05.03.2019 passed by the 3rd respondent, quash the same as illegal, contrary to law and consequently direct the 3rd respondent to conduct fresh tender cum-auction for Muthur Weekly Market Toll Collection by following the provisions of the Tamil Nadu Transparency in Tenders Act, 1998 Rules and notifications based on the representation dated 26.08.2019 to the respondents.

For Petitioner : Mr.M.R.Vivekananthan

For Respondents

R1 & R2 : Mr.V.Manoharan
Additional Government Pleader
R3 : Mr.R.P.Prathap Singh
R4 : Mr.L.Jaivenkatesh



O R D E R

The relief sought for in the present writ petition is to call for the records relating to the impugned resolution No.23/2019 dated 05.03.2019 passed by the 3rd respondent, quash the same as illegal, contrary to law and consequently direct the 3rd respondent to conduct fresh tender cum-auction for Muthur Weekly Market Toll Collection by following the provisions of the Tamil Nadu Transparency in Tenders Act, 1998 Rules and notifications based on the representation dated 26.08.2019 to the respondents.

2.The respondents 1 to 3 have admitted that G.S.T. is to be recovered as per the existing procedures. However, the relief sought for in the present writ petition do not exist as of now.

3.The learned counsel for the petitioner raised a concern about the collection of GST. Therefore, it is made clear that GST applicable under law is to be recovered by following the procedures. In respect of the other reliefs, no further consideration is required. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Director of Town Panchayats,
No.75, Santhome High Road,
Raja Annamalaipuram, Santhome, Chennai.
2. The Assistant Director of Town Panchayats,
Erode Zone, Collector Office Building, Erode.
3. The Special Officer/Executive Officer,
Muthur Town Panchayat, Muthur, Tiruppur District.

+1cc to Mr.M.R.Vivekananthan, Advocate SR. No. 7018

+1cc to Mr.R.P.Prathap Singh, Advocate SR. No.7571

W.P.No.1240 of 2020

KSM (CO)

PR (21/02/2022)