



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.A.No.414 of 2022

and

C.M.P.No.3143 of 2022

M/s.Perfect Engineering Services,
Rep. by its Managing Partner,
V.Vasudeven, Pethankadu,
Thethigiripatti Post, Mettur Taluk,
Salem District.

.. Appellant/Petitioner

vs

1. The Collector,
Dharmapuri District,
Dharmapuri.
2. The Commissioner,
Eriyur Panchayat Union,
Eriyur, Dharmapuri District.

.. Respondents/Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 10.02.2022 passed in W.P.No.1773 of 2022 on the file of this Court.

Prayer in WP.No.1773 of 2022:

Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of certiorari filed mandamus calling for the records relating to the proceedings in Na.Ka.No.826/2020/A2 dated 05.01.2022 on the file of the 1st respondent quash the same in so far as the extension of one month period and direct the respondents to extend the licence period for further period of 4 months as in the case of others.

For the Appellant : Mr.S.Doraiswamy

For the Respondents : Mr.P.Muthukumar
State Govt. Pleader
assisted by Mrs.R.Anith, Spl.G.P.,



ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

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The writ appeal has been filed to challenge the order dated 10.02.2022 whereby the writ petition preferred by the appellant to challenge the order dated 05.01.2022 was dismissed.

2. The order dated 05.01.2022 was to deny extension of one month period sought by the appellant for flying of the ferry. The challenge to the aforesaid was made mainly on the ground of discrimination because the ferry operated by the appellant was Oddanoor-Kottaiyur Ferry @ Nagamarai, whereas for the two other ferries namely Kothikkal-Mamarathkadavur Ferry @ Hogenakkal and Neruppur-Pannavadi Ferry @ Nagamarai, extension was given more than what has been provided to the appellant.

3. The learned Single Judge found that the extension given to the two routes for a greater period is justified because it was to operate only for the tourists and it was affected during the period of Covid-19 pandemic. However, the appellant's ferry was not for the tourist and it was in operation for some period even when there was restriction during the period of pandemic and therefore, the petitioner who was also granted extension initially for 30 days followed by another 15 days thereupon pursuant to the direction.

In view of the above, we do not find that the petitioner is entitled to the extension at par with those who are operating the ferry on the other routes and therefore, finding no reason to cause interference in the order of the learned Single Judge, the writ appeal fails and is dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To:

1. The Collector,
Dharmapuri District,
Dharmapuri.



2. The Commissioner,
Eriyur Panchayat Union,
Eriyur, Dharmapuri District.

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+1cc to Mr.S.Doraisamy, Advocate, S.R.No.35816

+1cc to the Government Pleader, S.R.No.36161

W.P.No.414 of 2022

CA (CO)
UMA (23/06/2022)