

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.15814 of 2022
and
W.M.P.No.15102 of 2022

G.Selvam

... Petitioner

Vs

1. The Director of Municipality,
No.3, MRC Nagar,
Raja Annamalai Puram,
Chennai - 600 028.

2. The Commissioner,
Krishnagiri Municipality,
Krishnagiri.

... Respondents

Prayer: 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 final notice issued by the second respondent dated 19.02.2021 made in Na.Ka.No.8065/2018/A2 and to quash the same and consequently direct the second respondent to waive the lease amount for the lockdown period for the non-functioning period of the Daily Market, Krishnagiri due to lockdown.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mrs.C.Meera Arumugam
Additional Government Pleader

ORDER

Mrs.C.Meera Arumugam, learned Additional Government Pleader takes notice on behalf of the respondents.

2. After hearing the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents, I am of the view that there is no merits in the present writ petition challenging the impugned notice/communication dated 19.02.2021, which is the last notice given by the second respondent calling upon the petitioner to pay a sum of

Rs.68,21,810/- being the due payable by the petitioner for the period commencing from 2018-2021.

3. The case of the petitioner appears to be that the petitioner participated in a tender for collection of toll charges for operation of Daily Market at Krishnagiri.

4. It is further submitted that the petitioner could not make any payment due to outbreak of Covid-19 pandemic. Under these circumstances, the second respondent has issued impugned notice asking the petitioner to pay the balance, failing which, the petitioner's licence for collection of toll charges would be rescinded and would be handed over to a third party.

5. The fact of the matter is that the petitioner has not taken any steps for discharging the liability for the period commencing from 2018-2021 as has been notified by the respondents. Further, the impugned notice/communication dated 19.02.2021, is challenged belatedly by filing the present writ petition on 14.06.2022.

6. Therefore, I am inclined to dismiss this writ petition. However, liberty is given to the petitioner to send appropriate representation to the respondents.

7. As and when the petitioner gives the representation, the respondents may consider the same for waiving/withdrawing the lease amount for the period when lockdown was in place due to the outbreak of Covid-19 pandemic.

8. This Writ Petition stands dismissed in terms of the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

arb

To

1. The Director of Municipality,
No.3, MRC Nagar,
Raja Annamalai Puram,
Chennai - 600 028.

2. The Commissioner,
Krishnagiri Municipality,
Krishnagiri.

+2cc to Mr.C.Prabakaran, Advocate, S.R.No.39736,39911

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BR(CO)
CT/22/07/2022