



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2400 of 2022

and

W.M.P. [MD]Nos.2072 & 2073 of 2022

WEB COPY

R.Ramesh

... Petitioner

Vs.

1.The District Collector,  
Trichy District.

2.The Block Development Officer (Village Panchayat),  
Panchayat Union,  
Manachanallur,  
Trichy District.

3.Thiruvellarai Village Panchayat,  
Rep. by its President,  
Thiruvellarai,  
Manachanallur Taluk,  
Trichy District.

... Respondents

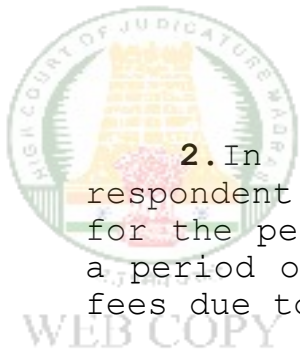
**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to pay a sum of Rs.3,92,098/- as compensation to the petitioner pursuant to the proceedings of the second respondent dated 02.03.2021.

|                       |                       |
|-----------------------|-----------------------|
| For Petitioner        | : Mr.S.M.Mohan Gandhi |
| For Respondent No.1   | : Mr.T.Amjad Khan     |
|                       | Government Advocate   |
| For Respondents 2 & 3 | : Mr.N.Ga.Nataraj     |
|                       | Government Advocate   |

**O R D E R**

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This writ petition has been filed for a Mandamus seeking for a direction to consider the petitioner's representation dated 03.11.2021 wherein the petitioner has requested the third respondent to pay a sum of Rs.3,92,098/- based on the proceedings of the second respondent dated 02.03.2021, wherein the petitioner was granted refund on account of the non-usage due to the Covid-19 lock down for a period of six [6] months.



2. In the proceedings dated 02.03.2021 issued by the second respondent the petitioner who was authorised to collect entry fees for the period from 01.04.2020 to 30.03.2021 was granted refund for a period of six [6] months when he was unable to collect the entry fees due to the Covid-19 lock down.

3. Despite the order passed by the second respondent on 02.03.2021, it is the case of the petitioner that he has not been granted the refund. In such circumstances, the petitioner has given a representation on 03.11.2021 seeking for refund of a sum of Rs.3,92,098/- which according to him he is entitled as per the proceedings of the second respondent dated 02.03.2021. Since the representation has not been considered till date, this writ petition has been filed.

4. Heard Mr.S.M.Mohan Gandhi, learned Counsel for the writ petitioner, Mr.T.Amjad Khan, learned Government Advocate who accepted notice on behalf of the first respondent and Mr.N.Ga.Nataraj, learned Government Advocate who accepted notice on behalf of respondents 2 & 3.

5. Learned Government Advocate on behalf of respondents 2 and 3 would submit that the respondents are willing to consider the petitioner's representation on merits and in accordance with law.

6. After giving due consideration to the submissions made by learned Counsel for the petitioner as well as the learned Government Advocates appearing for the respondents this Court directs the third respondent to consider the petitioner's representation dated 03.11.2021 seeking refund of a sum of Rs.3,92,098/- on account of being unable to collect entry fees for a period of six [6] months due to the Covid-19 lock down and the third respondent shall consider the said representation on merits and in accordance with law within a period of eight [8] weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the writ petition stands disposed of. There shall be no order as to costs.

Sd/-

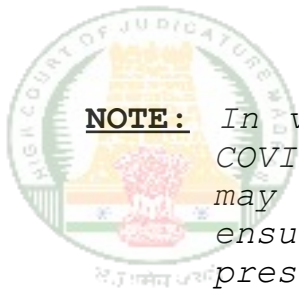
Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR



**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 District Collector,  
Trichy District.
- 2.The Block Development Officer (Village Panchayat),  
Panchayat Union,  
Manachanallur,  
Trichy District.
- 3.The President,  
Thiruvellarai Village Panchayat,  
Thiruvellarai,  
Manachanallur Taluk,  
Trichy District.

+1 CC to M/s.SPL GP ( SR-4747[F] dated 08/02/2022 )

**ORDER MADE IN**  
**W.P. [MD]No.2400 of 2022**  
**07.02.2022**

NSN(CO)  
GC(21.02.2022) 3P 5C