



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5902 of 2022

Jegadeeswari

... Petitioner

/Vs./

The Thasildar,
Sivagangai Taluk Office,
Sivagangai,
Sivagangai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to extend the solvency Certificate No.TN-1720201028114 dated 13.08.2021, which expired on 12.02.2022 to further period of 2 months

For Petitioner	: Mr.A.V.Arun
For Respondent	: Mr.B.Saravanan Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to extend the solvency certificate No.TN-1720201028114 dated 13.08.2021, which expired on 12.02.2022 for a further period of two months, to enable the petitioner to register herself as a contractor with any panchayat.

2.The petitioner has obtained the solvency certificate on 13.08.2021. However, the validity of the solvency certificate expired on 12.02.2022. According to the petitioner, due to the Covid-19 lockdown, the procedures involved for obtaining a fresh solvency certificate could not be followed by her. Therefore, she seeks extension of time extending the validity period by another period of two months to enable her to register as contractor with any panchayat. The petitioner has given a representation dated 15.03.2022 for the said purpose. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.A.V.Arun, learned Counsel for the writ petitioner
<https://hcservices.ecourts.gov.in/hcservices/>



and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

4.The learned Additional Government Pleader appearing on behalf of the respondent, would submit that as per the circular issued by the Revenue Department, the validity of the solvency certificate cannot be extended. However, the learned counsel appearing for the petitioner denies the same and would submit that the property, based on which the solvency certificate was issued earlier is still retained by the petitioner and only due to the aforementioned factors, the petitioner is seeking for extension of the validity period by another period of two months. The said statement is recorded.

5.This Court is of the considered view that no prejudice would be caused to the respondent, if the representation of the petitioner is considered on merits and in accordance with law, after affording a fair hearing to the petitioner within a time frame to be fixed by this Court.

6.For the foregoing reasons, this Court directs the respondent to consider the representation of the petitioner dated 15.03.2022 requesting for extension of the solvency certificate No.TN-1720201028114 dated 13.08.2021, which expired on 12.02.2022 for a further period of two months and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting her the right of personal hearing, within a period of two [2] months from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Crl. Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Thasildar,
Sivagangai Taluk Office,
Sivagangai,
Sivagangai District.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.SPL GP (SR-16072[F] dated 01/04/2022)

+1 CC to M/s.A.V.ARUN, Advocate (SR-16139[F] dated 01/04/2022)

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order made in
W.P. [MD]No.5902 of 2022

Dated:
31.03.2022

PA(19.04.2022) 3P 4C