



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6384 of 2022

and

W.M.P. (MD) .No.4975 of 2022

Rose Thevar

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Director of Town Panchayat,
Kuralagam,
Chennai -108.

3.The Executive Officer,
Aundipatti Town Panchayat,
Aundipatti,
Theni District.

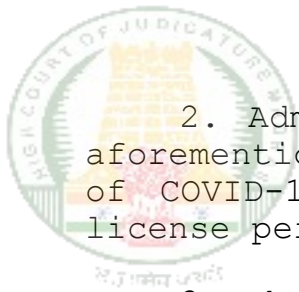
...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to renovate and extend the license to operate Toilet No.1 for a period of three years and further extend the license for one year in respect of Toilet No.2 Muthamizh Park, Aundipatti, Theni District.

For Petitioner	:	Mr.R.Murali
For R-1 and R-2	:	Mr.M.Lingadurai, Special Government Pleader.
For R-3	:	Mr.Kannan, Standing Counsel.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to renovate and extend the license to operate Toilet No.1 for a period of three years and further extend the license for one year in respect of Toilet No.2 at Muthamizh Park, Aundipatti, Theni District.



2. Admittedly, the contract of the petitioner for running the aforementioned toilets has come to an end on 31.03.2022. On account of COVID-19 lockdown, the petitioner seeks for extension of the license period in respect of the aforementioned toilets.

3. The only relief that can be granted to the petitioner is to permit the petitioner to manage the toilets and collect fees till the respondents issue a fresh auction notification for the said toilets. In case the petitioner has suffered any loss on account of COVID-19 lockdown, it is for the petitioner to submit a fresh representation to the respondents seeking for waiver of license fees. Since the said relief has not been sought for in this Writ Petition, this Court is restricting its relief only to permit the petitioner to continue operating and managing the aforementioned toilets, namely, Toilet No.1 and Toilet No.2 at Muthamizh Park, Aundipatti, Theni District by continuing to pay the license charges as fixed under the contract, which expired on 31.03.2022, to the third respondent till the third respondent issues a fresh auction notification.

4. However, on issuance of a fresh auction notification, the petitioner, if he is not the successful bidder, will have to immediately hand over the aforementioned toilets to the third respondent without fail and in case he continues to remain in possession, the third respondent is at liberty to evict him forthwith thereafter without any notice to him.

5. In terms of the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The District Collector,
Theni District,
Theni.

2.The Director of Town Panchayat,
Kuralagam,
Chennai -108.



3.The Executive Officer,
Aundipatti Town Panchayat,
Aundipatti,
Theni District.

+1 CC to M/s.M.SURESH KUMAR, Advocate (SR-20820[F] dated 25/04/2022)

+1 CC to M/s.SPL.GP (SR-21027[F] dated 25/04/2022)

W.P. (MD) .No.6384 of 2022

22.04.2022

RD(13.05.2022) 3P 6C