



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13137 of 2022

and

WMP(MD)No.9333 of 2022

P.Suresh

... Petitioner

v.

1.The Government of Tamil Nadu,
Rep.by its Secretary to Government,
Municipal Administration & Water Supply
Department,
Fort St.George, Chennai – 9.

2.The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
MRC Nagar, Santhome High Road,
Raja Annamalai Puram,
Chennai – 600 028.

3.The District Collector/
Disaster Management Department,
Dindigul District.

4.The Commissioner,
Kodaikanal Municipality,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice in Na.Ka.No.7221/2013/A3 dated



25.02.2021 issued by the Fourth Respondent demanding collection of license fee for the period 01.01.2021 to 31.12.2021 for conducting the 16 lodging rooms at Kavi Thiagarajar salai, Kodaikanal and quash the same and consequently direct the fourth respondent to receive a Sum of Rs. 3,63,750/- being the license fee amount for 01.01.2021 to 31.12.2021 period after deducting the 190 days lockdown period that is from 16.03.2020 till 25.09.2020 on account of Covid - 19 pandemic.

For Petitioner : Mr.M.S.Suresh Kumar

For Respondents : Mr.M.Prakash,
Additional Government Pleader for R1 to R3

Mr.L.P.Mauriya for R4

ORDER

Heard the learned counsel on either side.

2.The petitioner was granted lease to run a lodging house. The lease period commenced on 01.01.2020. It was valid up to 31.12.2022. The grievance of the local body is that the petitioner had not cleared lease arrears. Therefore, the impugned notice dated 12.05.2022 came to be issued. Whether lessee/licensee under a local body is entitled to the benefit of waiver in view of the lock down is an issue which is now pending consideration before the Hon'ble Supreme Court. The rights of the petitioner in this regard



will have to necessarily await its outcome. The said issue is left open. It is now stated by the petitioner that he had substantially cleared the arrears and that he has also given a cheque which will be encashed tomorrow (26.07.2022). If the cheque issued by the petitioner is honored, then, the petitioner will not have any arrears and the fourth respondent will not bring the subject lodging house to auction.

3.The writ petition stands disposed of. No costs. Connected miscellaneous petition is closed.

25.07.2022

skm

To

- 1.The Secretary to Government,
Municipal Administration & Water Supply
Department, Fort St.George, Chennai – 9.
- 2.The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
MRC Nagar, Santhome High Road,
Raja Annamalai Puram, Chennai – 600 028.
- 3.The District Collector, (Disaster Management Department),
Dindigul District.



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G.R.SWAMINATHAN, J.

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