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Writ Petition No.25591 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 5/1/2023

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition No.25591 of 2022

a n d

W.M.P.No.24591 of 2022

M. Jawahar Mani

...

Petitioner

Vs

1. The District Collector
Office of the Collectorate
Thiruvarur.

2. The Commissioner
Thiruvarur Municipality
Thiruvarur.

...

Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records connected with the proceedings in Na.Ka.No.2506/2017/A5 dated 5/9/2022 and Na.Ka.No.2506/2017/A5 dated 6/9/2022 passed by the second respondent (served on 12/9/2022) and quash the same and consequently, direct the second respondent to allot alternative place to the petitioner to park the vehicles as per the tender Notification.



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Writ Petition No.25591 of 2022

For Petitioner ... Mr.S.Ilamvaludhi

For respondents ... Mr.S.Rajesh
Government Advocate
for R.1

Mr.S.J.Mohammed Sathik
Government Advocate
for R.2.

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ORDER

This writ petition has been filed to quash the orders, dated 5 and 6/9/2022, passed in Na.Ka.No.2506/2017/A5 and consequently, direct the second respondent to allot alternative place to the petitioner to park the vehicles, as per the tender Notification.

2. It is the case of the petitioner that the petitioner is a license holder to collect the rent for the taxi stand from 2021 – 2014. When the matter stood thus, second respondent issued a Proceeding, dated 5/9/2022, cancelling the license, stating that the Highways Department is laying a road for Coodalur Mysore road and also to construct canal. An another Proceeding, dated 6/9/2022, stating that the petitioner should pay Rs.37,544/-, deducting the caution/auction deposit and other amounts due to the Municipality. Being aggrieved, the petitioner has come forward with the instant writ petition



Writ Petition No.25591 of 2022

praying for the relief as stated therein.

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3. Heard Mr.S.Ilamvaludhi, learned counsel for the petitioner, Mr.S.Rajesh, learned Government Advocate for the first respondent and Mr.S.J.Mohamed Sathik, learned Government Advocate for the second respondent.

4. Learned counsel appearing for the petitioner submitted that since the license period is upto 2024, alternative place has to be allotted to the petitioner for collecting the rent for taxi stand.

5. Mr.S.J.Mohamed Sathik, learned Government Advocate appearing for the second respondent has filed a status report, wherein it is stated that out of the total arrears amount of Rs.2,11,000/-, the petitioner had paid Rs.77,150/- and the remaining amount of Rs.1,33,850/-, is due.

6. He would further submit that if the petitioner makes a fresh representation, they will consider the alternative site for collecting the parking charges for the car shed upto 2024.

7. Learned counsel appearing for the petitioner submitted that if the



Writ Petition No.25591 of 2022

respondents allot such an alternative site, he has no grievance at all.

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8. In such a view of the matter, the petitioner is directed to give a fresh application for an alternative site to park the vehicles. On receipt of such application, the second respondent shall consider the grievance of the petitioner and allot an alternative place, as expeditiously as possible. The petitioner shall pay the license fees in full.

9. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

5/1/2023

mvs.

Index : Yes / No

Internet: Yes

Speaking/non speaking order

Neutral Citation: Yes/No

To



Writ Petition No.25591 of 2022

WEB COPY

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WEB COPY



Writ Petition No.25591 of 2022

N.SATHISH KUMAR,J
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W.P.No.25591 of 2022

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