



WEB COPY



W.P.No.25594 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.25594 of 2023
and W.M.P.No.24981 of 2023

J.Jabas

... Petitioner

Vs.

1.The Director of Municipalities,
The Directorate of Municipalities,
Chennai.

2.The Regional Director of Municipalities,
Vellore Region,
Vellore.

3.The District Collector,
Kallakurichi District.

4.The Commissioner,
Ulunthurpet Municipality,
Ulunthupet,
Kallakurichi District.

5.The Revenue Inspector,
Ulunthupet Municipality,
Ulunthupet,
Kallakurichi District.

... Respondents



W.P.No.25594 of 2023

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records in Na.Ka.No. 271/2022/A2, dated 24.08.2023, on the file of the 4th respondent and quash the same as illegal, incompetent, arbitrary, unconstitutional, violation of Article 21 and Article 19 (1) (g) of the Constitution of India, and further direct the respondents to give the fees collection from 24.08.2023 to the date of resumption of lease rights.

For Petitioner : Mr.M.Muruganantham

For Respondents : Mr.V.Manoharan
Additional Government Pleader for R1 to R5

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.Mr.V.Manoharan, the learned Additional Government Pleader takes notice for respondents 1 to 5.



3.The petitioner was awarded a contract to maintain public toilets in the Municipality Bus Stand, Ulunthurpet. As the Municipality received considerable complaints about the poor maintenance of the public toilets, the contract awarded to the petitioner was terminated vide the impugned proceedings dated 24.08.2023.

4.Heard Mr.M.Muruganantham, the learned counsel for the petitioner and Mr.V.Manoharan, the learned Additional Government Pleader appearing for respondents 1 to 5.

5.This Court, without getting into the merit of what the petitioner may alleges and what has already been disclosed by the impugned order, merely directs the petitioner to give a representation to the Municipal Authorities for revoking or reconsidering the impugned proceedings, whereinafter, the municipality concerned is required to give the petitioner an effective right of hearing and decide the issue within a period of eight (8) weeks from the date on which the petitioner files his representation as indicated above.



W.P.No.25594 of 2023

6.It is underscored that if any other contractor is inducted in the meanwhile, his term must be made subject to the outcome of the enquiry herein directed.

7.This Writ Petition stands disposed of accordingly with the above direction. No Costs. Consequently, the connected miscellaneous petition is closed.

30.08.2023

Anu/mac

Index : Yes / No

Neutral citation : yes/no

Note to office:Issue order copy on 30.08.2023

To

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W.P.No.25594 of 2023

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N.SESHASAYEE, J.



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