



W.P.(MD)No.1802 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.1802 of 2021

and

W.M.P.(MD).Nos.1536 and 1537 of 2021

R.Nallusamy

... Petitioner

Vs.

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Fort St George,
Chennai.

2.The District Collector cum Inspector of Panchayat,
District Collectorate,
Madurai District.

3.The Assistant Director of Panchayat,
Palamedu Town Panchayat,
Palamedu,
Madurai District.

4.The Executive Officer,
Palamedu Town Panchayat,
Palamedu,
Madurai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the entire records in connection with the impugned order dated 30.12.2020 passed by the fourth respondent vide Ref.No.Na.Ka.No.333/2020 and quash the same and consequentially direct the fourth respondent to extend the period of lease in favour of the petitioner in order to compensate the loss occurred due to non functioning of Weekly market due to Covid-19, within the time frame that may be fixed by this Court.

For Petitioner : Mr.Niranjana S.Kumar

For Respondents : Ms.S.Jeyapriya
Government Advocate

ORDER

This Writ Petition has been filed challenging the order dated 30.12.2020 issued by the fourth respondent and for a consequential direction to the fourth respondent to extend the period of lease in favour of the petitioner.

2. Considering the nature of relief sought for in the writ petition, nothing survives for further consideration, since the tender period pertains to the year 2021.



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3. The learned counsel appearing on behalf of the petitioner submitted that the petitioner will be entitled for the refund of the fees that was paid by the petitioner during the period of Covid-19 pandemic. Therefore, the learned counsel submitted that the petitioner will make a representation in this regard to the fourth respondent and seek for the refund.

4. This Writ Petition is disposed of by permitting the petitioner to make a fresh representation to the fourth respondent seeking for refund of the licence fees covering the pandemic period and the same shall be considered by the fourth respondent, in line with the G.O(D) No.337, Municipal Administration and Water Supply (MA.IV) Department, dated 16.06.2023. The decision taken by the fourth respondent shall be conveyed to the petitioner within a period of six (6) weeks from the date of receipt of fresh representation from the petitioner. No costs. Consequently, the connected miscellaneous petitions are closed.

28.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr/PNM



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N.ANAND VENKATESH, J.

Nsr/PNM

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