



W.P.(MD)No.2740 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.10.2023

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.2740 of 2021

S.Murugan

.. Petitioner

Versus

The Commissioner,
Manapparai Municipality,
Manapparai,
Trichy District.

.. Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to waive the lease amount for the third year commencing from the lockdown period from 25.03.2020 to 31.03.2021 in respect of lease of collection of entry fee for the buses entering into new Bus Stand at Manapparai Town, Trichy District and refund the waiver amount to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.B.Arun

For Respondent : Mr.J.Lawrance
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus,
directing the respondent Municipality to waive the lease amount for the period



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from 25.03.2020 to 31.03.2021 and to refund the waiver amount to the petitioner within the time frame fixed by this Court.

2. Heard Mr.B.Arun, learned counsel for the petitioner and Mr.J.Lawrance, learned Standing Counsel for the respondent Municipality.

3. The main grievance that has been expressed by the learned counsel for the petitioner is that the petitioner was granted licence to collect the licence fees for the buses entering into the new Bus Stand at Manaparai Town, Trichy District, for a period of three years, commencing from 2018 – 2019 to 2020 – 2021. There was no problem in the first two years. However, during the third year, there was intervention of Covid -19 Pandemic and as a result, there was a complete lockdown for the period from 24.03.2020 to 30.09.2020. Even thereafter, the petitioner was not in a position to collect any fees, since the renovation work was going on in the Bus Stand. Therefore, the petitioner was not able to collect any entry fees for the period from 01.10.2020 to 31.03.2021. Hence, the petitioner has sought for the waiver of the lease amount and for refund of the amount, by considering the representation made by him on 23.10.2020.



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4. Taking into consideration the facts and circumstances of the case and on considering the materials available on record, there shall be a direction to the respondent to consider the representation made by the petitioner on 23.10.2020 in line with G.O.(D)No.337, Municipal Administration and Water Supply (MA.IV) Department, dated 16.06.2023 and the proceedings of the Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Trichy Division, dated 25.09.2020 and take a final decision within a period of six weeks from the date of receipt of a copy of this order.

4. The petitioner is directed to make a fresh representation to the respondent Municipality along with all the relevant records and also a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

NCC : Yes/No
Index : Yes/No
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To

The Commissioner,
Manapparai Municipality,
Manapparai,
Trichy District.



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N.ANAND VENKATESH, J.

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