



W.P(MD)No.3661 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3661 of 2023

and

W.M.P(MD)Nos.3427 & 3429 of 2023

M.M.Cleetus

... Petitioner

Vs

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

2.The Director / Commissioner of
Municipal Administration,
MRC Nagar,
Pattinampakkam,
Chennai – 28.

3.The Commissioner,
Nagercoil Corporation,
Kanyakumari.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the Serial No. 2 of the impugned tender notification issued by the third



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respondent in Ve.Aa.No.43/SeMaThoA/Ka.Ku/dated 13.02.2023 and quash the same as illegal and consequently direct the respondents to grant the license for collecting the two wheeler parking fee at Vadasery Bus Stand for a period of 6 months on account of the loss suffered by him due to the Covid- 19 lock down crises.

For Petitioner : Mr.V.B.Sundhareshwar

For Respondents : Mr.M.Lingadurai
Special Government Pleader
for R.1 & R.2

Mr.F.Deepak
Standing Counsel for R.3

ORDER

Heard the learned counsel on either side.

2.The petitioner was given license to collect parking charges from the users of the two-wheeler stand near Vadasery Bus Stand premises. The petitioner has obviously suffered loss during COVID period when there was severe lockdown restriction in place. However, I am not in a position to grant relief to the petitioner herein since the Hon'ble Supreme Court is seized of the matter in Special Leave to Appeal (C) No (s).9433 and 9434 of 2022. An interim stay has also been granted.



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3. Leaving open all the other rights and remedies of the writ petitioner, this writ petition is dismissed. I make it clear that the rights of the parties will abide by the outcome of the proceedings now pending before the Hon'ble Supreme Court in this regard. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

23.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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

2. The Director / Commissioner of
Municipal Administration,
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G.R.SWAMINATHAN, J.

MGA

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