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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.9584 of 2021

and

W.M.P(MD)No.7340 of 2021

B. Silambarasan

... Petitioner

Vs.

1. State of Tamilnadu,
Represented by its Secretary to the Government,
Municipal Administration and Water Supply Department,
Fort Saint George,
Chennai - 600009.
 2. The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
Santhom High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai - 6000028.
 3. The Commissioner of Theni Allinagaram Municipality,
Theni Allinagaram Municipality,
Theni District.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a ***Writ Mandamus***, seeking direction to the 3rd



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respondent to refund the lease amount deposited by the petitioner for running the Weekly Market at 3rd Respondent Municipality for the period from 24.03.2020 to 11.09.2020 (Covid 19 Lockdown Period) which has been deducted from the Deposit amount paid by the Petitioner to the tune of Rs.12,50,000/- (Twelve Lakh Fifty Thousand Rupees) inclusive of the amount collected by the petitioner for the period from 12.09.2020 to 16.10.2020 and deposited in the 3rd Respondent Municipality Account within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.A.K.Manikkam
Special Government Pleader, for R-1 & R-2
Mr.G.Kaleeswaran, for R-3

ORDER

This writ petition is filed for *Writ of Mandamus* seeking direction to the 3rd respondent to refund the lease amount deposited by the petitioner for running the Weekly Market at 3rd Respondent Municipality for the period from 24.03.2020 to 11.09.2020 (Covid 19 Lockdown Period) which has been deducted from the Deposit amount paid by the Petitioner to the tune of Rs.12,50,000/- (Twelve Lakh Fifty Thousand Rupees) inclusive of the amount collected by the petitioner for the period from 12.09.2020 to 16.10.2020 and deposited in the 3rd Respondent Municipality Account within the time period stipulated by this Court.



2. Heard Mr.S.Rajasekar, the Learned counsel appearing for the petitioner, Mr.A.K.Manikkam, the Learned Special Government Pleader appearing for the respondents 1 & 2, Mr.G.Kaleeswaran, the Learned Counsel appearing for the 3rd respondent and perused the material documents available on record.

3. This Court without going into the merits of the case, directing the 3rd respondent to consider the petitioner's case and pass orders as per Law, within a period of Six weeks from the date of receipt of a copy of the order.

4. With these observations, this Writ petition is allowed. No Costs. Consequently, connected miscellaneous petition is closed.

27.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

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2. The Commissioner of Municipal Administration,
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Santhom High Road, MRC Nagar,
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S.SRIMATHY, J.

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