



W.P.(MD) Nos.9526 and 9527 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) Nos.9526 and 9527 of 2021

and

W.M.P(MD) Nos.7262, 7263 and 10417 of 2021

1.S.Ramnath ... Petitioner in W.P.(MD) No.9526 of 2021
2.C.Ganesan ... Petitioner in W.P.(MD) No.9527 of 2021

Vs.

1.The Commissioner of Municipal Administration,
Santhome High Road,
Raja Annamalaipuram,
Chennai.

2.The Commissioner,
Madurai Municipal Corporation,
Madurai.

3.The Commissioner of GST and Central Excise,
Central Revenue Buildings,
B.B.Kulam,
Madurai-2.

... Respondents



W.P.(MD) Nos.9526 and 9527 of 2021

Prayer in W.P(MD) No.9526 of 2021 :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to extend petitioner's license of collecting fee from the users of gents toilet situated in Marina Hotel Platform and Platform No.2, in MGR Bus Stand, Madurai, for a further period in lieu of repayment of GST amount collected from the petitioner which is against the circular dated 03.05.2017 in Circular No.1305/2016/D2 of the second respondent and notification dated 28.06.2017 in Notification No. 12/2017-Central Tax (Rate).

Prayer in W.P(MD) No.9527 of 2021 :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to extend petitioner's license of collecting fee from the users of gents toilet situated in Platform No.3 and Platform No. 4, in MGR Bus Stand, Madurai, for a further period in lieu of repayment of GST amount collected from the petitioner which is against the circular dated 03.05.2017 in Circular No.1305/2016/D2 of the second respondent and notification dated 28.06.2017 in Notification No.12/2017-Central Tax (Rate).

For Petitioners : Mr.Sricharan Rangarajan
Senior Counsel
for Mr.N.Palanisamy

For R1 : Mr.T.Amjadkhan
Government Advocate

For R2 : Mr.R.Murali



W.P.(MD) Nos.9526 and 9527 of 2021

For R3

: Mr.N.Dilipkumar
Senior Standing Counsel
Assisted by Mr.K.P.Prabhu
Junior Standing Counsel

COMMON ORDER

An endorsement has been made by the learned counsel for the petitioners, on instruction, that he is withdrawing the writ petitions. The said endorsement is recorded and the Writ Petitions are dismissed as withdrawn subject to the following conditions:-

(i) The petitioners will be permitted to participate in the auction, which the six respondent corporation would float for the pay and use toilet.

(ii) They will be permitted to continue to run the pay and use toilet till the next auction.

No costs. Consequently, connected miscellaneous petitions are closed.

22.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
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W.P.(MD) Nos.9526 and 9527 of 2021

P.T.ASHA, J.

cp

To

The Commissioner of Municipal Administration,
Santhome High Road,
Raja Annamalaipuram,
Chennai.

W.P.(MD) Nos.9526 and 9527 of 2021

Dated: 22.06.2023