



W.P.(MD) No.16311 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.16311 of 2020

P. Ramamurthy

... Petitioner

Vs

Kovilpatti Municipality,
Rep by its Commissioner,
Kovilpatti, Tuticorin District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to close down the unauthorized private cart stand (Vehicle parking stand) which were running in contravention of section 270 E of the Tamil Nadu District Municipalities Act 1920 at Kovilpatti municipal limits by considering the petitioners representation dated 15.10.2020.

For Petitioner : Mr.K.K.Senthil
For Respondents : Mr.P.Srinivas

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondent to close down the unauthorized private cart stand (Vehicle parking stand), which were running in



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contravention of section 270 E of the Tamil Nadu District Municipalities Act 1920 at Kovilpatti municipal limits by considering the petitioner's representation dated 15.10.2020.

2.Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

3.When the writ petition was taken up for hearing, it is brought to the notice of this Court that the license period of the petitioner has come to an end. The main grievance that has been expressed by the learned counsel for the petitioner is that in spite of granting license for collecting tax from the private cart stand, unauthorized cart stand was permitted to run and as a result, the petitioner suffered huge loss.

4.In the considered view of this Court, the main relief that has been sought for has become infructuous, since the license period of the petitioner has come to an end. However, the petitioner is aggrieved by the fact that parallely unauthorized cart stand was allowed to run. The petitioner has to initiate appropriate proceedings seeking for



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compensation to redress this grievance. That apart, the respondent Municipality shall ensure that wherever the license is granted for collection of fee for any private cart stand, no unauthorized private cart stand is permitted in the area. If anyone unauthorizedly indulges in such things, action should be taken against him, failing which, the licensee, who had deposited huge amount to get the license, will be put to irreparable loss and hardship. This direction shall be strictly complied with by the respondent Municipality in future.

5. This writ petition is disposed of with the above terms. No costs.

06.10.2023

Index : Yes/No
NCC : Yes/No
RR
To
The Commissioner,
Kovilpatti Municipality, Kovilpatti,
Tuticorin District.



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N.ANAND VENKATESH, J.

RR

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