



WP(MD)No.16797 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD).No.16797 of 2023 and
WMP(MD) Nos.14032 & 14034 of 2023

P.Chandrasekaran

... Petitioner

Vs

The Executive Officer,
Devathanampatti Town Panchayat,
Devathanampatti, Periyakulam Taluk,
Theni District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned tender notification of the respondent in Na.Ka.No.500/2023/A1, dated 03.07.2023 in respect of weekly shandy of Devathanampatti Town Panchayat, Periyakulam, Theni District, quash the same and consequently direct the respondent herein to extend the lease of collection of fee from the shops and vendors in the weekly shandy of Devathanampatti Town Panchayat, Periyakulam, Theni Distr, for a period of one year with in increase of



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5% increase on the previous lease amount paid by the petitioner to the respondent in the wake of pandemic COVID 19.

For Petitioner : Mr.K.Appadurai
For Respondent : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

The petitioner, was a lessee for collection of fee from the shops and vendors in the weekly shandy of Devathanampatti Town Panchayat, Periyakulam, Theni District for the years 2016 to 2019 and the license was renewed for a further period of 2019 to 2020. He has filed this writ petition challenging the auction notice, dated 03.07.2023 floated by the Devathanampatti Town Panchayat for a period of 2023-2024.

2.The learned counsel appearing for the petitioner submits that the petitioner's license was renewed for the year 2020-2021 and he has deposited a sum of Rs.7,74,630/- as security deposit. However, the petitioner could not collect the charges due to Covid 19. Hence, the



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petitioner has made a request to the respondent for extension of lease and the same was not considered. Without considering the petitioner's request for extension of lease period, the Panchayat is intending to proceed further with an auction and therefore, the petitioner has approached this Court, challenging the auction notice. The petitioner under the guise of license granted in favour of him for the year 2020-2021 is not having any locus to challenge the subsequent auction notice.

3.In view of the above, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

12.07.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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