



W.P.(MD)No.17653 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.17653 of 2015

and

M.P.(MD).No.1 of 2015

S.Murugan

... Petitioner

Vs.

The Commissioner,
Palani Municipality,
Palani,
Dindigul District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent in his proceedings in Na.Ka.No.4743/2013/A-1 dated 24.01.2014 and quash the same as illegal and consequently directing the respondent to extend the time for continuing the License Period of Pay and Use Toilet situated in the eastern side of V.O.C.Bus Stand, Palani Town in favour of the petitioner by 36 days.



W.P.(MD)No.17653 of 2015

For Petitioner :Mr.J.Lawrance

For Respondent :Mr.G.Arjunan

ORDER

The writ petition has been filed challenging the impugned order passed by the respondent in his proceedings in Na.Ka.No.4743/2013/A-1 dated 24.01.2014 and consequently directing the respondent to extend the time for continuing the License Period of Pay and use toilet situated in the eastern side of V.O.C.Bus Stand, Palani Town, in favour of the petitioner by 36 days.

2.The learned counsel for the petitioner would submit that since the request for extension was not considered and the tender has also been further issued and a third party has also successfully taken the tender, the prayer seeking for extension could not be pressed for the present. But, however, he would make a request claiming that the period for which the contract was not performed due to the renovation of the pay and use toilet, the respondent may consider the petitioner's claim for refund of the proportionate license fee, based on condition No.18.



W.P.(MD)No.17653 of 2015

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3.In view of such a request, the petitioner is permitted to make a representation to the respondent espousing his grievances and on receipt of such a representation, the respondent shall consider the request of the petitioner and pass appropriate orders on merits and in accordance with law, as per the tender condition No.18.

4.With the aforesaid observations, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.02.2023

Index : Yes / No
Speaking Order/Non Speaking Order
shn

To

The Commissioner,
Palani Municipality,
Palani,
Dindigul District.

Page 3 of 4



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W.P.(MD)No.17653 of 2015

K.KUMARESH BABU, J.

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W.P.(MD)No.17653 of 2015
and
M.P.(MD).No.1 of 2015

02.02.2023