



W.P(MD)No.22080 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22080 of 2023

and

W.M.P(MD)No.18408 of 2023

Mohamed Iqbal

... Petitioner

Vs

1.The Director (DMA)

Municipality of Administration,
O/o.Municipality & Administration,
Santhome High Road, Raja Anamalaipuram,
Chennai.

2.The Commissioner,

O/o.Ottanchatram Municipal Corporation,
Dindigul District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to quash the impugned order passed by the respondent No.2 in Na.Ka.No. 737/2018/E1 dated 04.08.2023 and further directed the Respondent No.1 and 2 to extend the lease period of TANTEA sales bunk shop carry out by petitioner at Ottanchatram Municipality bus stand for next 3 years since the permission given by respondent no.2 from 01.08.2020 to 31.07.2023 during this period petitioner met a heavy loss on account of



W.P(MD)No.22080 of 2023

COVID lockdown and renovation work of Ottanchatram bus stand within
1 year after getting permission of the respondents.

For Petitioner :Mr.S.M.A.Jinnah

For Respondents :Mr.P.T.Thiraviyam
Government Advocate

ORDER

The request of the petitioner to extend the period for conducting the TANTEA shop in the Ottanchatram bus stand was rejected by the impugned order dated 04.08.2023.

2. The petitioner had obtained the dealership from the TANTEA corporation in order to run a TANTEA sales bunk shop at Ottanchatram bus stand on the basis of the recommendation of the first respondent. Therefore, the second respondent has also granted a lease permission to run a TANTEA sales bunk shop at Ottanchatram Municipal bus stand from 01.08.2020 to 31.07.2023. After expiry of the period of lease, the petitioner has made a request for extending the lease and the same was rejected by the second respondent. Aggrieved against the impugned order, the petitioner has filed the present writ petition.



W.P(MD)No.22080 of 2023

WEB COPY

3. The Government of Tamil Nadu has now framed “Tamil Nadu Urban Local Bodies Rule, 2023”. As per the Rule, the licence of all the shops in the bus stand has to be issued by way of public auction. The second respondent Municipality is also bound by the Rules and therefore, the second respondent municipality is expected to conduct the auction for issuing licence for the allotment of shops in the Municipalities. In the event of any auction is being conducted by the Municipality, it is always open to the petitioner to participate in the auction and to get a shop.

4. In view of the above, this Court is not inclined to interfere with the order of the second respondent and hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

am

21.09.2023



WEB COPY



W.P(MD)No.22080 of 2023

To

- 1.The Director (DMA)
Municipality of Administration,
O/o.Municipality & Administration,
Santhome High Road, Raja Anamalaipuram,
Chennai.
- 2.The Commissioner,
O/o.Ottanchatram Municipal Corporation,
Dindigul District.



WEB COPY



W.P(MD)No.22080 of 2023

B.PUGALENDHI, J.

am

Order made in
W.P(MD)No.22080 of 2023

21.09.2023