



W.P(MD)No.28001 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28001 of 2023

and

W.M.P(MD)Nos.24112 & 24113 of 2023

M.GopalaKrishnan

... Petitioner

Vs.

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Executive Engineer,
Kanyakumari Special Grade Town Panchayat,
Kanyakumari,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.728/2023/A2 dated 18.10.2023 on the file of the second respondent and quash the same as illegal and consequently forbear the second respondent from



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evicting the petitioner without following the due process of law and pass further orders within the time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.M.Prakash
Additional Government Pleader for R.1

Mrs.Christy Theboral
Additional Government Pleader for R.2

ORDER

Heard both sides.

2.The petitioner was granted license to run the petition mentioned hotel. The license period expires on 31.12.2023. The petitioner sought extension of the license period. His request was rejected. The petitioner questions the same on the grounds set out in the affidavit filed in support of the writ petition. I am not persuaded by the said submissions. The petitioner being a licensee is bound to hand over the shop / site on expiry of the license period. Of course, it is open to the petitioner to seek extension of time. But in this case, the petitioner's request has been negatived. Therefore, I am not in a position to interfere with the impugned order. But then, till the expiry of the license period (midnight



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of 31.12.2023), the petitioner can very well continue to enjoy the fruits of the license and the respondents cannot interfere with the petitioner's rights as a licensee.

3.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
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2.The Executive Engineer,
Kanyakumari Special Grade Town Panchayat,
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G.R.SWAMINATHAN, J.

MGA

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