



W.P.(MD)No.3019 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.3019 of 2021
and
W.M.P.(MD)No.2419 of 2021

P.Mohamed Ismail

... Petitioner

Vs.

The Commissioner,
Tenkasi Municipality,
Tenkasi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the order passed by the respondent in Na.Ka.No. 2620/2017/F1 dated 20.07.2020 and subsequent order in Na.Ka.No. 2620/2017/F1 dated 18.11.2020 and quash the same.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondent : Mr.P.Athimoola Pandian



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ORDER

The Writ Petition has been filed challenging the impugned orders passed by the respondent in Na.Ka.No.2620/2017/F1 dated 20.07.2020 and Na.Ka.No.2620/2017/F1 dated 18.11.2020 and quash the same.

2. Heard the learned counsel appearing for the writ petitioner as well as the respondent.

3. The case of the writ petitioner is that he was given licence to collect the user fee from daily market, bus stand, toilet and omni bus stand, that the respondent has issued a notice dated 20.07.2020 directing the writ petitioner to pay lease amount of Rs.39,10,950/- for the period 2020-2021 deducting security deposit already made and that thereafter, the respondent has issued another notice dated 18.11.2020 directing the writ petitioner to pay lease amount of Rs.31,22,459/- for the period 2020-2021 (excluding April 2020 and May 2020) deducting security deposit already made. These two notices have been put to challenge in the present Writ Petition.



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4. When the matter is taken up for hearing today, the learned counsel appearing for the writ petitioner has cited a decision of this Court in W.P.(MD)No.3274 of 2021, wherein also, the present writ petitioner has filed the above writ petition against the same respondent and a learned Judge has directed the respondent to deal with the case of the writ petitioner in line with the Government Orders viz., G.O(D)No.298, Municipal Administration and Water Supply (MA.IV) Department, dated 02.09.2020 and G.O(D)No.337, Municipal Administration and Water Supply (MA.IV) Department, dated 16.06.2023.

5. At this juncture, the learned counsel appearing for the respondent would submit that the writ petitioner is certainly entitled to get the benefits under the above said Government Orders and the respondent may be directed to consider the same and pass orders in accordance with the above said Government Orders.

6. Recording the submissions made on either side, the respondent is hereby directed to consider the case of the writ petitioner in accordance with the Government Orders above referred and that the said



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process shall be completed within a period of four weeks from the date of receipt of copy of this order.

7. With the above direction, this Writ Petition stands disposed of.

Consequently, connected Miscellaneous Petition is closed. No costs.

20.02.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.3019 of 2021
and
W.M.P.(MD)No.2419 of 2021

Dated : 20.02.2024