



W.P(MD)No.2920 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.2920 of 2024

and

WMP(MD)Nos.2919 & 2920 of 2024

A.Yasodhaiyammal

.. Petitioner

-Vs-

1.The Commissioner for Municipal of Administration,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Collector,
O/o.District Collector,
Ramanathapuram District.

3. The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

.. Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Ceritorari, calling for records pertaining to S.No.3 of the impugned order of the 3rd respondent's tender notification in Na.Ka.No.37/2024/C2 dated 30.01.2024.



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For Petitioner : Mr.S.Ramsundarvijayaraj

For Respondents : Mr.P.Thambidurai
Government Advocate
for R1 & R2

: Mr.A.Prasanna Rajadurai
for R3

ORDER

This petitioner has filed this writ petition seeking for issuance of a writ of certiorari, to quash the Sl.No.3 in the 3rd respondent's tender notification in Na.Ka.No.37/2024/C2 dated 30.01.2024.

2. The case of the petitioner is that the petitioner is the successful bidder in the tender process conducted by the 3rd respondent in the year 2021. She has quoted the highest bid price of Rs.14,70,000/- and hence, she was allotted work in the 3rd respondent municipality vide his proceedings dated 22.02.2021 in Na.Ka.No.2233/2020/C2 for a period of 3 years for the collection of market fee, ie., from 2021-2022. In the meantime, the 3rd has issued a notification dated 30.01.2024 in Na.Ka.No.37/2024/C2 for fresh auction and tender for the collection of market fee along with other notified work in the said municipality, in which S.No.3 was already allotted to the petitioner for a period of 3 years from 2021. Hence, the petitioner seeks



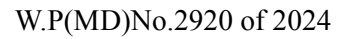
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extension of time of her allotment of collection of market fee for a period of four months since she could not collect the market fee due to the construction work going on in the market place from November, 2023. In this regard, the petitioner sent a representation dated 04.02.2024. But so far, no action has been taken. Hence, this petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. The learned counsel for the petitioner submitted that the petitioner was the successful bidder and she was allotted the work of collection of market fee in the 3rd respondent municipality from the year 2021-2024 vide the proceedings dated 22.02.2021 in Na.Ka.No.2233/2020/C2. He further submitted that subsequent to the allotment of work, Covid pandemic have erupts in the year of 2021, wherein all weekly markets have been close in the State and the petitioner was deprived of her business. Thereafter, the petitioner made hectic steps in the year 2021-2022 to bring up the business. In the meantime, during the petitioner's lease period, the 3rd respondent issued work order for construction of building in the weekly market vide



5. Considering the facts and circumstances of the case, it is clear that petitioner was assigned work for the year 2021-2024, but Covid-19 pandemic started in March-2020 and thereafter, no such severe pandemic occurred. At this juncture, the petitioner has no legal right for seeking extension of time of her lease period. Hence, the same could be rejected in this regard.

The second reason assigned by the petitioner is that due to the construction work going on in the said market place, she could not be able to



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to collect the market fee. To prove the same, the petitioner did not produce any material before this Court. If at all the petitioner has any grievance, she could contact the officer concerned stating that she is not in a position to collect the market fee. But without doing that the petitioner has approached this Court to quash the subsequent notification issued by the 3rd respondent municipality. Hence, this Court is not inclined to accept the reasons stated by the petitioner and this petition has no merits. Accordingly, this Writ Petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

12.02.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
PJJ

To
1.The Commissioner for Municipal of Administration,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Collector,
O/o.District Collector,
Ramanathapuram District.

3. The Commissioner,



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Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.BHAVANI SUBBAROYAN, J.

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