



W.P(MD)No.5526 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5526 of 2024
and
W.M.P(MD)Nos.5256 to 5258 of 2024

S.Perumal

... Petitioner

Vs.

The Executive Officer,
Kanyakumari Special Grade Town Panchayat,
Kanyakumari.

... Respondent

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 on the file of the respondent pertaining to its impugned order in Na.Ka.No.700/2023/A2 dated 14.02.2024 and the consequential notification in Na.Ka.No.108/2024/A2 dated 29.02.2024 and to quash the same and consequently direct the respondent to extend the lease period for further period of 3 years by receiving the enhance amount of 5% by considering the representation of the petitioner dated 02.02.2024.



W.P(MD)No.5526 of 2024

For Petitioner : Mr.SC.Herold Singh
For Respondent : Mr.D.S.Nedunchezian
Government Advocate

ORDER

Heard both sides.

2. The petitioner challenges the stand of the respondent proposing to hold public auction for issuing license for running the petition mentioned public toilet. The petitioner's case is that even though he was successful in the public auction held in March 2021, actual possession was given only in August 2021. The petitioner therefore wants corresponding extension of lease period. In other words, he wants this Court to compute the three years from the date of handing over of possession.

3. The petitioner's contention appears to be justified. But on this ground, he cannot ask for extension. He can only ask for refund of the proportionate license fee if his contention is correct.



W.P(MD)No.5526 of 2024

4. Granting liberty to the petitioner to agitate the issue independently, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

08.03.2024

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

To

The Executive Officer,
Kanyakumari Special Grade Town Panchayat,
Kanyakumari.



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W.P(MD)No.5526 of 2024

G.R.SWAMINATHAN, J.

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