



W.P(MD)No.5860 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5860 of 2024

P.Gobinath

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Personal Assistant to District Collector (Development),
Tenkasi District, Tenkasi.

3.The Block Development Officer,
Tenkasi Taluk and District.

4.The President,
Aayiraperi Panjayat Union,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to extend the license period of the petitioner to collect entry charges and parking charges for vehicles parked at Old Courtallam falls till 24.06.2024 by considering the representation of the petitioner dated 17.02.2024,

For Petitioner : Mr.K.Yeyamohan

For R1 to R3 : Mr.K.S.Selvaganeshan

Additional Government Pleader

For R4 : Mr.P.T.Thiraviyam



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ORDER

Heard both sides.

2.The petitioner was granted license to collect parking charges. The proceedings were issued on 31.05.2023. The license period is to end on 31.03.2024. The case of the petitioner is that the license period actually commenced only on 01.06.2023. Therefore, according to the petitioner the one year license period cannot be computed from 01.04.2023. He seeks corresponding extension of license period.

3.The submission of the learned counsel is no doubt attractive. But when the proceedings are clear to the effect that license period will end on 31.03.2024, the writ Court cannot grant extension. However, the petitioner may have a case for proportionate refund of money, if already paid or even he may claim for damages. The petitioner is permitted to make a representation before the fourth respondent in this regard. As and when it is received, it may be considered and disposed on merits and in accordance with law within a period of four weeks thereafter.



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4. With this liberty to the petitioner to claim damages or refund, this writ petition is disposed of. No costs.

12.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

1. The District Collector,
Tenkasi District,
Tenkasi.
2. The Personal Assistant to District Collector (Development),
Tenkasi District, Tenkasi.
3. The Block Development Officer,
Tenkasi Taluk and District.



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G.R.SWAMINATHAN, J.

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