



W.P.(MD) No.13474 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.13474 of 2024
and
W.M.P.(MD) Nos.11884 & 11885 of 2024

R.Karthi

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Seelaipadi Bypass,
Dindigul-624 005.

2.The Executive Officer,
Arulmigu Soundaraja Perumal Thirukoil,
Thadikombu,
Dindigul West Taluk,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of the serial No.2 of the impugned notification of the 2nd respondent in வெ.ஆ.எண்.146/செமதொஅ/திண்டுக்கல்/2024 dated 10.06.2024 and quash the same as illegal and consequently direct the respondents to grant the license for collecting the two-



W.P.(MD) No.13474 of 2024

wheeler and four wheeler parking fee at Arulmigu Soundaraja Perumal Thirukovil, Thadikombu, Dindigul West Taluk, Dindigul for a period of three months on account of the loss suffered by him due to prohibition of using parking place at Arulmighu Soundaraja Perumal Thirukoil, Thadikombu, Dindigul West Taluk, Dindigul on account of Kumbabishekam held on 28.06.2023.

For petitioner : Mr.P.Manikandan

For respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

Heard learned counsel for the petitioner and learned Special Government Pleader for the respondents.

2. This Writ Petition has been filed to quash the impugned tender notification dated 10.06.2024 regarding an auction for parking of vehicle around the temple on 02.07.2024. The petitioner appears to be a previous successful bidder, whose turn has come to an end. The petitioner has also submitted his bid in the proposed tender to be held on 02.07.2024.

3. It is the specific case of the petitioner that the petitioner was not allowed



W.P.(MD) No.13474 of 2024

to collect toll charges for a period of three months viz., 01.07.2023 to 30.08.2023.

He would draw the attention to a copy of the communication received by the petitioner from the second respondent stating that Mandala Poojai was commenced from 28.06.2023 and that the parking cannot be allowed in the existing parking place for the period from 01.07.2023 to 30.08.2023.

4. The learned Special Government Pleader for the respondents, on the other hand, would submit that the petitioner was not allowed to collect any toll for the period of one month from Mandala Poojai viz., 28.06.2023 to 31.07.2023. However, in the subsequent month, the petitioner was allowed to collect toll in the alternative place arranged for parking the vehicles.

5. It is submitted that since admittedly, during the period starting from 31.07.2023, the petitioner was allowed to collect toll from the alternative place where the vehicles were allowed for parking, if the petitioner makes suitable representation regarding compensation for purported loss suffered by the petitioner for the period starting from 28.06.2023 upto 31.07.2023, the petitioner's representation will be considered and disposed of.



W.P.(MD) No.13474 of 2024

WEB COPY

6. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, this Court is of the view that the proposed tender cannot be stalled at this stage particularly, when the petitioner himself has also proposed to participate in the tender. It is open for the petitioner to ask the respondents for suitable compensation to the petitioner for the purported loss suffered by the petitioner for a period, when parking was not allowed during the Mandala Poojai viz., 28.06.2023 to 31.07.2023.

7. If such representation submitted by the petitioner within 30 days from the date of receipt of a copy of this order, the respondents may consider the same and dispose of on merits and in accordance with law within a period of 30 days thereafter. Needless to state, the petitioner shall be heard.

This Writ Petition stands disposed of with above directions. No costs.
Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

25.06.2024



W.P.(MD) No.13474 of 2024

WEB COPY

To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Seelaipadi Bypass,
Dindigul-624 005.

2.The Executive Officer,
Arulmigu Soundaraja Perumal Thirukoil,
Thadikombu,
Dindigul West Taluk,
Dindigul.



WEB COPY



W.P.(MD) No.13474 of 2024

C.SARAVANAN, J.

apd

W.P.(MD) No.13474 of 2024

25.06.2024