



W.A.(MD) No.1139 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2024

CORAM:

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

W.A.(MD) No.1139 of 2020

and

C.M.P.(MD) No.6266 of 2020

S.Paulraj

... Appellant

-VS-

1.The Commissioner
Kovilpatti Municipality
Kovilpatti, Thoothukudi District

2.The Commissioner
for Municipal Administration
Ezhilagam
Chepauk, Chennai

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 26.11.2020, passed in W.P.(MD) No.16842 of 2020, on the file of this Court.

For Appellant : Mr.A.Selva Adithya
for Mr.G.Prabhu Rajadurai

For Respondents : Mr.J.Parekhkumar
Standing Counsel for R1
Mr.S.S.Madhavan
Government Advocate for R2



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J U D G M E N T

[Judgment of the Court was made by RMT.TEEKAA RAMAN, J.]

Learned counsel appearing for the appellant reports no instructions.

2. The appellant filed the writ petition in W.P.(MD) No.16842 of 2020 challenging the demand notice dated 06.11.2020, issued by the first respondent.

3. The appellant is a licensee of the first respondent – Corporation for collection of fees from motor vehicles and carts entering the market at Kovilpatti owned by the first respondent.

4. The learned Single Judge, by order dated 26.11.2020, dismissed the writ petition. Hence, this writ appeal.

5. It is seen that after interim order was granted by this Court in this appeal on 17.12.2020, the first respondent entered appearance before this Court and filed a memo of calculation stating that Rs.45,49,723/- is due from the appellant.



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6. On perusal of the memo of calculation filed by the first respondent, we find that *vide* G.O.(D) No.337, Municipal Administration and Water Supply (MA.IV) Department, dated 16.06.2023, certain waiver and surcharge were given to the licencees in view of the first wave and second wave of Covid and by following the said Government Order, the first respondent has filed the calculation memo. Hence, we find no merit in this writ appeal.

7. Accordingly, this writ appeal is dismissed. However, it is open to the respondents to proceed further for collection of the amount due from the appellant in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

[T.K.R., J.]

[N.S., J.]

04.12.2024

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

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To:
The Commissioner,
for Municipal Administration
Ezhilagam,
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