



WEB COPY

WA No. 571 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2023

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

WA No. 571 of 2023

1. Meganathan
S/o. Ganesan,
No.5, 1st Cross Street,
Gandhi Nagar, Vellore.

Appellant(s)

Vs

1. The Vellore Municipal Corporation,
Rep. by its Assistant Commissioner,
Vellore, Zone-II, Vellore District.

Respondent(s)

PRAYER:- Writ Appeal filed under 15 of the Letters Patent, seeking to set aside the order dated 21.09.2022 made in W.P.No.5336 of 2022.

For Appellant(s): Ms.P.Suganthi for
Mr.N.Baaskaran

For Respondent(s): Ms.Regamitha for Mr.P.S.Prabhu
Standing Counsel

**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

The writ order dated 21.09.2022 in W.P.No.5336 of 2022 came to be challenged in the present writ appeal.

2. The appellant was granted a license to collect Toll Fee for the vehicles, which enters into Nethaji Market at Vellore. The license was granted to the appellant for the period from 01.10.2018 to 31.03.2020. It was extended for a further period from 01.04.2020 to 30.09.2020 upon the appellant paying a sum of Rs.49,54,725/-. Subsequently, the appellant committed default in payment. Thus, a demand notice was issued vide proceedings dated 23.02.2021. The said notice came to be challenged in the writ proceedings. The writ Court adjudicated the issues and passed an order as follows:-

“6. Taking note of the fact that the respondent has already given remission for two months and the petitioner may not be entitled to seek remission beyond further period of two months, this Court is inclined to dispose of this writ petition with the following directions:-



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(i) The petitioner is directed to remit a sum of Rs.40,00,000/- (Rupees Forth Lakhs only) within a period of three weeks from the date of receipt of a copy of this order;

(ii) In the meanwhile, the petitioner shall submit a representation to the respondent for further remission;

(iii) This Court undertakes the submission of the learned counsel for the petitioner that the petitioner will pay the balance depends upon the order that may be passed by the respondent on the representation of the petitioner.

(iv) After remitting a sum of Rs.40,00,000/- as directed above, the respondent shall consider the representation and pass appropriate orders, on merits and in accordance with law, after affording an opportunity to the petitioner after taking into consideration the extension of lease and the remission already given, within a period of eight (8) weeks thereafter.”

3. The learned counsel for the appellant would submit that a sum of Rs.40,00,000/- had already been deposited as directed by the writ Court. However, the learned counsel would submit that the appellant may be permitted to submit a representation to redress other grievances.



4. The writ Court itself has granted such a direction to consider the representation and pass appropriate orders on merits and in accordance with law, after affording an opportunity to the appellant. Since the direction has already been issued, no further consideration is required. Consequently, the respondents are directed to look into the representation, if any pending with them, and take appropriate decision and communicate the same to the appellant.

5. With these observations, this Writ Petition stands dismissed. No costs.

(S.M.S., J.) (M.S.Q., J.)

18-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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**S.M.SUBRAMANIAM J.
AND
MOHAMMED SHAFFIQ J.**

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