



W.P(MD)No.33508 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.11.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.33508 of 2025

and

W.M.P.(MD)No.26455 of 2025

N.Amose

.. Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Nagercoil, Kanyakumari District.
- 2.The Assistant Director of Town Panchayat,
Collectorate Building,
Nagercoil, Kanyakumari District.
- 3.The Assistant Executive Engineer of Town Panchayat,
Collectorate Building,
Nagercoil, Kanyakumari District.
- 4.The Junior Engineer,
Thirapparapu Selection Grade Town Panchayat,
Thiruvattar Taluk,
Kanyakumari District.
- 5.The Executive Officer,
Thirapparapu Selection Grade Town Panchayat,
Thiruvattar Taluk,
Kanyakumari District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the 5th respondent in Na.Ka.No. 167/2025/A1 dated 30.10.2025, quash the same as arbitrary and illegal and direct the 5th respondent to renew the petitioner's licence forthwith in view of the quash order dated 17.11.2025 passed in W.P.(MD) No.24866/2025 and Consequently permit the petitioner to participate in the tender dated 07.11.2025 issued by the 5th respondent, notwithstanding the earlier refusal to renew the licence.

For Petitioner : Mr.G.Sethu Surendhar

For Respondents : Mr.A.Kannan (for R1 to R4)
Additional Government Pleader
Mrs.S.Jeya Priya
Government Advocate (for R5)

ORDER

Aggrieved by the fact that the fifth respondent had not renewed the license of the petitioner, the petitioner has invoked the jurisdiction of this Court under Article 226 of the Constitution of India making the following claim:

2. It is his case that he is a registered Class V Contractor under the Town Panchayat Department and executing works in various local bodies in Kanyakumari District. For the renewal of his contract registration for the year 2024-2025, the petitioner submitted a representation dated 20.09.2025. Since



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the same has not been considered, he had filed W.P(MD).No.27054 of 2025 before this Court. This Court, by order dated 06.10.2025, had directed the respondents to consider the representation of the petitioner and pass order. In compliance of the said order, the fifth respondent passed an order vide dated 30.10.2025 rejecting the petitioner's request for renewal. This was challenged by the petitioner by way of filing W.P(MD).No.24866 of 2025. On 17.11.2025, the said writ petition was allowed quashing the order passed by the fifth respondent. Despite this, the respondents are not coming forward to renew the petitioner's licence and therefore, the petitioner is before this Court.

3. The counter affidavit has been filed by the fifth respondent *inter alia* contending that the reason for not extending the license of the petitioner was on two grounds :

(a) that the petitioner has misappropriated the property belonging to the fifth respondents and

(b) he has not even started the work, for which, he has been awarded work order.

4. Heard the learned counsel on either side and perused the records available.



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5. It is seen that the petitioner was given a work order on 23.12.2024 providing a cement concrete link road connecting Nedumankadu Highway to Mukkachivilai road via Poolankottukulam in Thirparappu Town Panchayat. The contract was awarded on the basis of the resolution No.630, dated 26.09.2024. The contention of the respondents is that though the work order was issued in Dec-2024, till June-2025, the work was not at all commenced and hence, vide letter dated 06.06.2025, the respondents had informed the petitioner to commence work. However, the petitioner has not commenced the work, whereas he has removed and taken away the paver blocks, which was on the side of the road, for which, an FIR was lodged. Ultimately, the same has been closed. However, it is the contention of the respondent that they intend to proceed further in the matter as the complaint was closed without the authority of the panchayat or the fifth respondent. Therefore, it is their contention that the petitioner cannot as a matter of right claim the renewal of his license. In the work order dated 23.12.2024 issued to the petitioner, the condition clearly stipulates that the work should be completed within a period of 90 days from the receipt of the contract. Admittedly, as of 06.06.2025, the petitioner had not take any steps to commence the work, as is evident from the communication issued by the fifth respondent. It is also seen that Thirparappu Selection Grade



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Town Panchayat in their meeting dated 20.09.2025 had decided to black list the petitioner. The impugned order is only a sequel of such a resolution. The petitioner, who has been entrusted with the work, which was to be completed within a period of 90 days, has not commenced the work even after five months and after the fact was brought to his notice. The second ground with reference to the reluctance to grant licence is on account of the fact that the petitioner has illegally removed the property belonged to the Panchayat. Since, as on date, the police report would indicate that there is no mistake on the part of the petitioner, though, the same has now been contested by the fifth respondent, this Court does not wish to pass any opinion in this regard.

6. Considering the fact that the petitioner being a registered Contractor has not any steps even to commence the basic work of laying a cement road, this Court cannot compel the respondents to grant him the relief claimed. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

26.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk



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P.T.ASHA, J.

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