



W.P(MD)No. 34043 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.34043 of 2025

P.Gobinath

..Petitioner

Vs

1.The Block Development Officer,
Tenkasi Taluk,
Tenkasi District.

2.The President,
Aayiraperi Panchayat Union,
Tenkasi District.

3.Sudalaiyandi

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent to refund the Proportionate license fee for the Period between 01.04.2023 to 30.05.2023 during which the Petitioner was unable to operate the parking area as the license was issued belatedly only on 30.05.2023 and for the further period of 24 days in the months November, December 2023 and January 2024, as the Petitioner could not collect parking charges on account of continuous heavy rains and adverse weather condition in respect of the parking license granted by the 2nd respondent by his proceedings Na. Ka. No.A3/2118/2022 dated 31.05.2023 for collection of parking charges at



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Old Courtalam waterfalls, Aayiraperi panchayat, Tenkasi Taluk, by considering the representation of the petitioner dated 03.05.2024 within a time frame fixed by this court.

For Petitioner : Mr.E.K.Kumaresan

For Respondents : Mr.S.Shanmugavel
Addl. Govt. Pleader for R1

ORDER

The writ petition has been filed seeking a Writ of Mandamus directing the 2nd respondent to refund the proportionate licence fee for (i) the period from 01.04.2023 to 30.05.2023, during which the petitioner was unable to operate the parking area as the licence was issued belatedly on 30.05.2023, and (ii) a further 24 days in November and December 2023 and January 2024 when continuous heavy rains and adverse weather conditions prevented the collection of parking charges, in respect of the parking licence granted under proceedings Na.Ka.No.A3/2118/2022 dated 31.05.2023 for the Old Courtalam Waterfalls parking area, Aayiraperi Panchayat, Tenkasi Taluk, by considering the petitioner's representation dated 03.05.2024 within a time frame to be fixed by this Court.



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2. Mr.S.Shanmugavel, learned Additional Government Pleader takes notice for the first respondent. Since no adverse order is going to be passed as against the respondents 2 and 3, notice to them is dispensed with. By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he was granted a licence by the second respondent to collect parking charges in the aforesaid area. During the licence period, monsoon failure and a prohibitory order issued by the District Collector disrupted operations, resulting in severe financial loss and preventing the petitioner from recovering even his basic investment. He therefore submitted a representation on 17.02.2024. As the said representation was not considered, he approached this Court by filing W.P(MD)No.5860 of 2024. By order dated 12.03.2024, this Court directed the petitioner to submit a fresh representation to the fourth respondent seeking refund and damages, and directed the fourth respondent to consider and dispose of the same. Since there was no progress, the petitioner made another representation dated 03.05.2024. Till date, there was no further progress. Hence, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader for the first respondent submits that the petitioner's representation will be considered in accordance with law.



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5. In view of the above, and without expressing any opinion on the merits of the matter, the first respondent is directed to consider the petitioner's representation dated 03.05.2024 and pass a reasoned order on its merits within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. With the above direction, this writ petition stands disposed of. No costs.

26.11.2025

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

To

1.The Block Development Officer,
Tenkasi Taluk,
Tenkasi District.

2.The President,
Aayiraperi Panchayat Union,
Tenkasi District.



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P.T.ASHA, J.

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