



WEB COPY

WP No.3277 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 3277 of 2026

K.Venkateswaran

..Petitioner

Vs.

1. The commissioner
Commissionerate of Municipal Administration,
No 3 MRC Nagar, R.A Puram,
Chennai 600 028.
2. The Commissioner
Coonoor Municipality,
Coonoor The Niligir District.

..Respondent(s)

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to forthwith consider the representation of the petitioner dated 09.10.2025 on merits in accordance to law with respect to reducing and adjusting and license fee payable by the petitioner for the pay and use Toilet for the year 2024 - 2027 and adjusting the same towards the license fee payable by the petitioner for the year 2026 – 2027.

For Petitioner(s) : Mr. P.Saravana Sowmiyan



For Respondent(s) : Dr.T.Seenivasan

ORDER

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The petitioner participated in a tender for running a pay-and-use toilet situated within the Municipal Daily Market at Coonoor. The period of the tender was from 01.04.2024 to 31.03.2027. The petitioner was declared as the successful bidder and was granted the privilege to operate and collect the charges from users of the pay- and- use toilet for a sum of Rs.11,00,300/-. It was agreed between the parties that for the subsequent years, an additional amount of 5% would be paid to enable the petitioner to continue for the 2nd and 3rd years. The petitioner was granted licence by proceedings dated 28.03.2024. The charges permitted to be collected were Rs.5 for urination and Rs.10/- for defecation.

2. Simultaneously another individual, namely, Mr.K.Ganeshkumar had taken a similar privilege to collect fees for a pay -and -use toilet at the Arignar Anna Municipality Bus stand. On account of the objections raised by the users, the fee that Ganesh Kumar was permitted to charge was reduced from Rs.5/- to Re.1 for urination and from Rs.10/- to Rs.5/- for defecation. On account of such reduction in the fee that he was entitled to charge, a sum of Rs.2,32,166/- was calculated as excess paid for the first year. The same was directed to be adjusted towards the license fee payable



in the subsequent period.

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3. The petitioner came to know of the said fact and submitted a representation seeking similar reduction, stating that he too has been facing similar objections from the public and therefore, he should be granted reduction in the licence amount. He seems to have remembered this only when the second respondent called upon him to pay a sum of Rs.11,66,868/- to continue the lease for the second year. The petitioner submitted representations dated 04.06.2025 and 09.10.2025 to the second respondent requesting reduction in the lease amount as well as the charges from Rs.5 and Rs.10 to Re.1 and Rs.5 respectively. Claiming that he is entitled to be treated on parity with Mr.Ganeshkumar, the petitioner has filed the present writ petition.

4. I heard Mr.P.Saravana Sowmiyan, for the petitioner and Dr.T.Seenivasan, learned Standing Counsel for the respondents.

5. The narration of facts shows that the petitioner took the privilege to collect the fees in an auction. Even at the time of participating in the auction, he was aware that he was entitled to charge Rs.5 and Rs.10/- for the respective purposes. The Municipality has not called upon the petitioner to reduce the charges, as was done, in the case of Mr.Ganeshkumar. The



petitioner, having entered into the contract with open eyes, cannot point to another person and seek reduction .

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6. The petitioner had taken the privilege to collect the fee at a different location from that of Mr.Ganeshkumar. The petitioner is carrying on his operations in the Municipal Daily Market, whereas Mr.Ganeshkumar is operating in the Municipal Bus stand. On account of the objections raised with respect to the toilet operated by Mr.Ganeshkumar, the Municipality had reduced the charges that he was permitted to collect and consequently, the lease amount was also reduced. No such directions have been issued by the Municipality with respect to the Municipal Daily Market.

7. In such circumstances, the relief sought for by the petitioner cannot be granted. I do not find any reason to entertain the writ petition.

8. Accordingly, this writ petition is dismissed. No costs.

04-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
kkd



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V.LAKSHMINARAYANAN, J.

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To

1. The commissioner
Commissionerate of Municipal Administration,
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Chennai 600 028.
2. The Commissioner
Coonoor Municipality,
Coonoor The Niligir District.

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