



W.P.(MD)No.7196 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.7196 of 2026

and

W.M.P.(MD)Nos.5885 and 5886 of 2026

S.R.N.Sivashankari

... Petitioner

-VS-

1.The Commissioner of Municipal Administration,
Municipal Administration Department,
Ezhilagam Annex, 6th Floor, Chennai.

2.The Director of Municipality,
Municipality Administration,
Ram Popular Road,
Manakkavalam Pillai Nagar,
Tirunelveli.

3.The District Collector,
Viruthunagar District.

4.The Municipal Commissioner,
Viruthunagar Municipality,
Viruthunagar District.

... Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to consider the representation and consequently direct him to call for the public auction for the Viruthunagar Municipality's MSP Raja Daily Santhai Auction for the year 2024 to 2027 and 5 other auction for the same year in accordance with law as earlier as possible.

For Petitioner : Mr.J.Vijayaraja
For R1 to R3 : Ms.P.B.Ahamed Yashmin Parvin
Government Advocate
For R4 : Mr.N.M.M.Abishek Pandian
Standing Counsel

ORDER

The writ petition has been filed seeking a direction to the respondents to consider the representation of the petitioner and consequently direct the fourth respondent to conduct a public auction in respect of Virudhunagar Municipality's MSP Raja Daily Santhai for the period 2024–2027, along with five other auctions for the same period, in accordance with law.

2. The grievance of the petitioner is that the licence for collection of daily Santhai charges had earlier been granted to a third party through a public auction. However, even after the expiry of the said period, no steps have been taken to



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conduct a fresh auction. In this regard, the petitioner submitted a representation dated 18.06.2024, which has not been acted upon.

3. The learned Standing Counsel appearing for the fourth respondent Municipality sought time to obtain instructions. However, considering the nature of the direction proposed to be issued, this Court takes up the writ petition for final disposal at the stage of admission itself.

4. It is evident that when a licence is granted for a specified period through a public auction for the collection of Santhai charges, it is incumbent upon the Municipality to conduct a fresh auction upon expiry of the said period. While, in cases of administrative delay, the existing licensee may be permitted to continue for a limited period, such continuation cannot be indefinite. In the present case, the licence period is stated to have expired in the year 2024, and therefore, the inaction on the part of the Municipality cannot be sustained.

5. Accordingly, the fourth respondent is directed to consider the petitioner's representation dated 18.06.2024 and pass appropriate orders in accordance with



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law within a period of four (4) weeks from the date of receipt of a web copy of this order, without insisting upon a certified copy. It is made clear that this Court has not expressed any opinion on the facts as to whether there is any subsisting lease or not. It is further made clear that the Model Code of Conduct shall not stand in the way of compliance with this order.

6. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

17.03.2026

Neutral Citation : No
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To:-

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D.BHARATHA CHAKRAVARTHY, J.

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