



W.P.(MD)No.19271 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.19271 of 2024

S.Durairaj

.. Petitioner

- Vs. -

1. The Managing Director of Municipalities,
O/o.Managing Director of Municipalities,
75, Santhom High Road,
Pattinapakkam, MRC Nagar,
Annamalaipuram,
Chennai - 600 004.

2. The District Collector,
Collectorate Complex,
Dindigul.

3. The Commissioner,
Dindigul City Municipal Corporation,
Dindigul - 624 001.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to return the money due to the petitioner based on the petitioner's representation dated 19.07.2024.



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For Petitioner : Mr.M.Sheik Abdullah
For Respondents : Mr.M.Mahaboob Athiff,
Government Advocate
for R1 and R2
: Mr.J.Lawrance
Standing Counsel for R3

ORDER

The petitioner has approached this Court seeking a direction to the first respondent to consider the representation dated 19.07.2024.

2. In the said representation, the petitioner has sought refund of the Earnest Money Deposit proportionate to the area from which he was unable to collect rent during the period from 17.12.2021 to 31.03.2024. According to the petitioner, he was the successful bidder for collection of rent from the Santhai shops situated in an area measuring 50,000 sq. ft. However, he was able to collect rent only from the shop owners occupying an extent of 5,000 sq. ft. It is the case of the petitioner that the remaining extent of 45,000 sq. ft. was utilised by the Corporation for various public purposes, including the establishment of a mobile



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hospital. Consequently, the petitioner submitted the aforesaid representation seeking reimbursement of the amount proportionate to the area that was unavailable for rent collection.

3. The learned Government Advocate appearing for respondents 1 and 2 submitted that the contract in question was not entered into with the said respondents and that the third respondent alone is the competent authority to consider and decide the claim made by the petitioner.

4. In view of the above submission, this Writ Petition is disposed of with a direction to the third respondent to consider the petitioner's representation dated 19.07.2024 on its own merits and in accordance with law and pass appropriate orders, after affording an opportunity of hearing to the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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5. There shall be no order as to costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
PJJ

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HEMANT CHANDANGOUDAR, J.

PJL

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