



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.24654 of 2023

and

W.M.P(MD)No.20852 of 2023

A.Adaikalasamy

...Petitioner

Vs

1. The Commissioner,
Kumbakonam Municipal Corporation,
Kumbakonam,
Thanjavur District

2. The District Collector,
Thanjavur District,
Thanjavur

3. R.Asaithambi

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents restraining the 3rd respondent from collecting more than prescribed amount of Rs.60/- (Rupees Sixty) for the petitioner's shop (Tharai Kadai) from the petitioner.

For Petitioner : No appearance

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader
for R2
Mr.M.Rajarajan for R1

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ORDER

The present writ petition has been filed seeking a mandamus directing the respondents 1 and 2 restraining the third respondent from collecting more than the prescribed amount of Rs.60/- for the shop (Tharakadai) from the petitioner.

2. According to the learned Counsel appearing for the writ petitioner, he is running one of the shops in the Nehru Vegetable and Arignar Anna Kaikari Market at Darasuran Vegetable Market, Kumbakonam. The third respondent is the successful bidder for collecting daily rent from the shops. He is mandated only to collect a sum of Rs.60/- per day from the shop. However, he has demanded a sum of Rs.180/- per day and hence, the present writ petition.

3. The learned Standing Counsel appearing for the first respondent submits that the period of the third respondent has got concluded on 31.07.2025 and it has been auctioned to a different person. Thereafter, the writ petition came to be filed questioning the resolution of the Municipal Corporation wherein the Corporation has decided to collect a sum of Rs.3/- per sq.ft. instead of Rs.60/- per day.



4. This resolution was put to challenge in WP(MD)No.12350 of 2024 and the said writ petition was disposed of on 13.06.2024. Paragraph No.2 of the said order is extracted as follows:-

“at the rate of Rs.3/- per Sq.ft. It is categorically asserted by the respondents that excess fee is not and will not be demanded from the market users. If there is any breach of this undertaking, it is always open to the individual concerned to move this Court again for relief. If any such case is listed before this Court, it will be taken as test case.”

5. In view of the subsequent developments, no further orders are called for in the writ petition. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

29.01.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Commissioner,
Kumbakonam Municipal Corporation,
Kumbakonam,
Thanjavur District.

2. The District Collector,
Thanjavur District,
Thanjavur

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R.VIJAYAKUMAR, J.

RJR

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