



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Second day of August Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

W.P(MD) .No.19008 of 2022
and
W.M.P. (MD) No.13879 of 2022

SELVARAJ.K.R

... PETITIONER

Vs

1 THE DISTRICT COLLECTOR
SIVAGANGAI DISTRICT,
SIVAGANGAI.

2 THE COMMISSIONER
DEVAKOTTAI MUNICIPALITY,
DEVAKOTTAI,
SIVAGANGAI DISTRICT.

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in connection with the impugned order of cancellation of license vide his proceedings in Na.Ka.No.0082/2020/A2 dated 08.08.2022 (received on 11.08.2022) and quash the same as illegal, arbitrary and thereby direct him to indemnify the loss incurred by me during Covid-19 pandemic period by way of waving the lease amount for the lockdown period or by extending the license period in regard to collection of toll fee in the weekly market of the 2nd respondent municipality in the light of the order passed by this Honble Court in a similar case in W.P(MD) No.1439 of 2021 dated 29.01.2021 within the time limit that may be stipulated by this Hon'ble Court.

Prayer in WMP(MD) . 13879/ 2022 :

To issue an INTERIM STAY staying the operation of the impugned final notices issued by the 2nd respondent vide his proceedings in Na.Ka.No.0082/2020/A2 dated 08.08.2022 till disposal of the writ petition.



ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.THALAIMUTHARASU.G, Advocate for the petitioner and of MR.G.SIVARAJA, Government Advocate on behalf of the 1st Respondent and MR.J.ANANDKUMAR, Standing Counsel for the 2nd respondent, the court made the following order:-

Mr.G.Sivaraja, learned Government Advocate takes notice for the first respondent.

2.Mr.J.Anandkumar, learned standing counsel take notice for the second respondents.

3.The petitioner through his counsel undertakes that he will unconditionally remit a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) to the second respondent within a period of one week from today and a further of sum of Rs.5,00,000/- (Rupees Five Lakhs Only) within a period of one week thereafter.

4.Subject to the said condition that a sum of Rs.20,00,000/- (Rupees Twenty Lakhs Only) will be paid in favour of the second respondent on or before 06.09.2022, I grant an order of interim stay. If the undertaken amount is not remitted, the interim order now granted will stand automatically vacated without reference to this Court.

sd/-

22/08/2022

/ TRUE COPY /

22/08/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR
SIVAGANGAI DISTRICT,
SIVAGANGAI.
- 2 THE COMMISSIONER
DEVAKOTTAI MUNICIPALITY,
DEVAKOTTAI,
SIVAGANGAI DISTRICT.

+1. C.C. to Mr.J.ANANDKUMAR, Advocate SR.No.8773.

ORDER

IN

W.P(MD) .No.19008 of 2022

and

W.M.P. (MD) No.13879 of 2022

Date :22/08/2022

MK/VR/SAR.II/22.08.2022/2P/4C

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