



W.P.No.28362 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 22.07.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.28362 of 2026
and
W.M.P.Nos.31087, 31088 & 31089 of 2026

K.Ramar
S/o.Karuppaiya

... Petitioner

VS.

1. The Commissioner
Puducherry Municipality
Puducherry.
2. The Revenue Officer-II
Puducherry Municipality
Puducherry.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records relating to the 1st proceedings in No.550/Pu.Na/Va.A2/A3/2026 dated 03.07.2026 and the 1st respondent fresh e-auction notification in No.550/Pu.Na/Va.A2/2025-2026 dated 10.07.2026 and quash the same and consequently, directing the respondents to confirm the auction held on 22/23.06.2026 in favour of the petitioner for collection of parking fees in respect of the Rajiv Gandhi Bus



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Stand Parking Area, Puducherry, and permit the petitioner to remit the licence amount within such reasonable time.

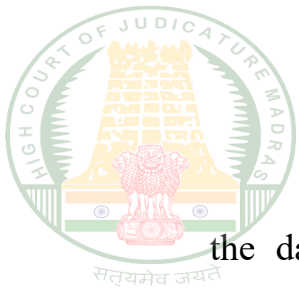
For Petitioner : Mr.C.Ravichandran

For Respondents : Mr.V.Vasanthakumar
Additional Government Pleader
(Pondy)

ORDER

The petitioner challenges the order dated 03.07.2026 and the e-auction notification dated 10.07.2026, both issued by the first respondent. By the order dated 03.07.2026, the first respondent cancelled the contract awarded to the petitioner and forfeited the Earnest Money Deposit (EMD) of Rs.6,52,800/-. Consequent thereto, a fresh e-auction notification was issued inviting bids for the collection of parking charges at the Rajiv Gandhi Bus Stand.

2. The petitioner was the highest bidder in the e-auction conducted on 22.06.2026 for the grant of a licence to collect parking charges at the Rajiv Gandhi Bus Stand. Under the terms of the tender, the petitioner was required to deposit the licence fee for nine months in advance within three days from



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the date of the auction. Instead of making the payment, the petitioner submitted a representation dated 24.06.2026, stating that he was willing to deposit the amount only if certain deficiencies in the bus stand were rectified. Despite being called upon to deposit the amount, the petitioner failed to do so. Consequently, the first respondent cancelled the contract and forfeited the EMD.

3. Heard the learned counsel appearing for both sides.

4. Admittedly, licences for collection of parking charges at the bus stand are granted every year on an “as-is-where-is” basis. The respondent Municipality does not undertake to create any new infrastructure or provide additional facilities during the licence period. The petitioner had inspected the bus stand before participating in the auction and was fully aware of its condition. Having participated in the auction, emerged as the highest bidder and been declared successful, the petitioner could not insist upon rectification of the alleged deficiencies as a condition for depositing the licence fee. Therefore, the respondent Municipality was justified in cancelling the contract and forfeiting the EMD. However, since the petitioner’s failure to deposit the amount was attributable to the deficiencies pointed out by him, the respondent

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ought to have considered his request sympathetically and refunded the EMD after making a reasonable deduction.

5. In view of the above, the writ petition is partly allowed. The impugned order is set aside only insofar as it directs forfeiture of the entire EMD of Rs.6,52,800/-. The first respondent is directed to refund a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the petitioner within four weeks from the date of receipt of a copy of this order.

6. Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

22.07.2026

Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking
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To

1. The Commissioner
Puducherry Municipality
Puducherry.
2. The Revenue Officer-II
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HEMANT CHANDANGOUDAR, J.,

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