

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10384 of 2015

S.Sakthivel

... Petitioner

Vs.

1. The President
Town Panchayat
Palacode
Dharmapuri District.

2. The Executive Officer,
Selection Grade Town Panchayat
Palacode
Dharmapuri District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 02.03.2015 and thereby direct the second respondent to conduct the fresh public auction for maintaining toilet room in the bus stand of Palacode Town Panchayat immediately for the year 2015 to 2016.

For Petitioner : Mr.B.Sundarapandian

For Respondents : Mr.V.Subbiah for R2

Special Government Pleader

सत्यमेव जयते
O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that the second respondent vide public notice dated 31.03.2014, called for public auction / tender for the period of 2014-15 in respect of "maintenance of public toilet" in the Palacode Bus Stand and the tender was confirmed in favour of the highest bidder and the tenure of tender has already been over on 31.03.2015. According to the petitioner, the second respondent without calling for fresh tender for the period of 2015-16, is allowing the erstwhile tenderer to continue the lease. It is the specific claim of the petitioner that if fresh tender is made, it will fetch more amount by way of bid and in this regard ha has also

submitted a representation dated 02.03.2015 to the second respondent and since he has not been favoured with any response, came forward to file this writ petition.

3.Heard the submissions of Mr.B.Sundarapandian, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the second respondent.

4.This Court taking into consideration the limited scope of the prayer sought for and without going into the merits of the case, directs the second respondent to consider and dispose of the representation of the petitioner dated 02.03.2015 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

5. This writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To

1. The President
Town Panchayat
Palacode
Dharmapuri District.
2. The Executive Officer,
Selection Grade Town Panchayat
Palacode
Dharmapuri District.

+ 1 cc to M/s.B.Sundarapandian, Advocate SR 19831

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