

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24-03-2015

Coram :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

WP No. 6063 of 2015
and
M.P. Nos. 1 and 2 of 2015

K. Venkatesh

...Petitioner

Versus

1. The Secretary
Municipal Administration and Water Supply Department
Fort St. George
Chennai - 600 009
2. The District Collector
Krishnagiri District
3. The Executive Officer
Denikanikottai Selection Grade Town Panchayat
Denkanikottai
Krishnagiri District

...Respondents

Petition filed under Article 226 of The Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records relating to the impugned auction notice in Na.Ka.26/2015/Aa2 dated 27.02.2015 passed by the third respondent and the impugned order in Na.Ka.26/2015/Aa2 dated 28.02.2015 passed by the third respondent and quash the same as being illegal, arbitrary, unconstitutional and consequently direct the respondents 1 and 2 to extend the lease period for the petitioner's two wheeler parking stand as per the G.O. Ms. No.92, Municipal Administration and Water Supply Department dated 03.07.2007.

For Petitioner : Mr. R. Rajiv Gandhi

For Respondents : Mr. P. Chinnadurai
Government Advocate

ORDER

At the time when the writ petition was taken up for hearing on 05.03.2015, this Court, while ordering notice of motion, directed the petitioner to participate in the auction to be conducted by the third respondent on that date without prejudice to his rights. However, the petitioner did not participate. In the auction conducted by the third respondent on 05.03.2015, one Mr. C. Ramesh was declared as a successful bidder who quoted a sum of Rs.6,22,000/-.

2. According to the learned counsel for the petitioner, such amount quoted by the successful bidder is an unimaginable bid since the tender was in respect of collection of parking fee for a small cycle stand. Such a contention of the petitioner cannot be accepted inasmuch as the petitioner cannot be permitted to assess the commercial viability of the tender. In any event, by proceedings dated 19.03.2015, the third respondent awarded the bid in favour of the successful tenderer. Furthermore, inspite of the direction issued by this Court, the petitioner did not participate in the tender. Therefore, the relief sought for in this petition cannot be granted. The writ petition is therefore dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

rsh

To

1. The Secretary
Municipal Administration and Water Supply Department
Fort St. George
Chennai - 600 009
2. The District Collector
Krishnagiri District
3. The Executive Officer
Denikanikottai Selection Grade Town Panchayat
Denkanikottai
Krishnagiri District

1 CC to the Government Pleader, SR.No. 17020

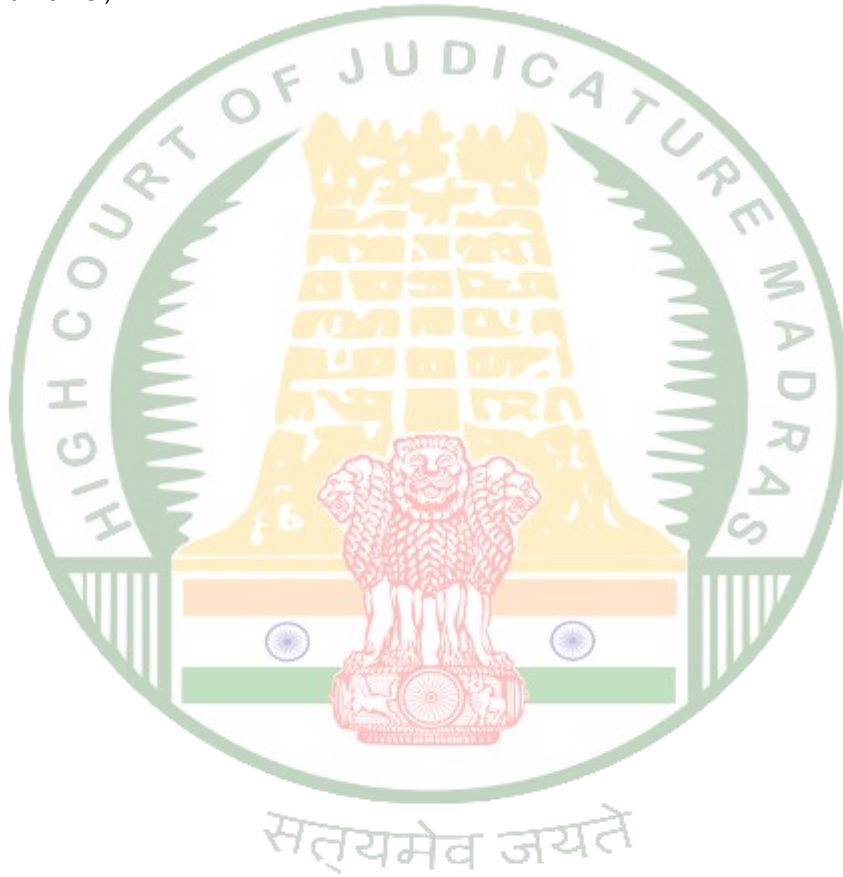
1 CC to Mr. R. Rajiv Gandhi, Advocate SR.No. 16905

1 CC to Mr. P. Chinnadurai, Advocate SR.No. 16638

WP No. 6063 of 2015

PA (CO)

PSI (07.04.2015)



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