



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD) .No.19057 of 2014

and

M.P. (MD) Nos.1 and 2 of 2014

R.Kothandaramasamy

: Petitioner

Vs.

1.The Assistant Executive Engineer,
Public Works Department/WRO,
Irrigation Section,
Tirumangalam,
Madurai District.

2.The Assistant Engineer,
Public Works Department/WRO,
Irrigation Section,
Tirumangalam,
Madurai District.

3.C.Padma,
Sadachipatti Panchayat Vice President,
Sadachipatti Panchayat Office,
North Street, Sadachipatti Village,
Ayyanakulam (PO),
Usilampatti (T.K.),
Madurai District.

: Respondents

(Respondent No.3 impleaded as per order of this Court dated 11.12.2014 in M.P.No.3 of 2014)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the records pertaining to the impugned auction notice in letter No.Kho-3/2014/U.Po/Thiru, dated 29.10.2014 on the file of the respondent No.2 and quash the same as illegal.

For Petitioner	: Mr.T.Lajapathi Roy
For Respondents	: Mr.S.Chandrasekar,
1 and 2	Government Advocate
For Respondent 3	: Mr.ARM.Ganesh

ORDER

This Writ Petition has been filed challenging the impugned auction notice dated 29.10.2014 issued by the second respondent.



2.Today, when the matter is taken up, the learned Government Advocate appearing for the respondents 1 and 2 as well as the learned counsel appearing for the third respondent submitted that as per the auction notice dated 29.10.2014, no auction has taken place on 17.11.2014.

3.In view of the above submission, the auction notice itself had lapsed and it has no legs to stand. If at all any new auction is to be conducted, it should be called afresh.

4.The only grievance of the petitioner is that the impugned notice has been issued by a person who is not at all competent to issue the same. Therefore, it is for the department to verify and issue fresh auction notification by the competent person within a period of one month from the date of receipt of a copy of this order.

5.With the above observations, the Writ Petition is closed. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

srm

To

1.The Assistant Executive Engineer,
Public Works Department/WRO,
Irrigation Section,
Tirumangalam,
Madurai District.

2.The Assistant Engineer,
Public Works Department/WRO,
Irrigation Section,
Tirumangalam,
Madurai District.

+1cc to Mr. T.Lajapathi Roy, Advocate SR NO.2317

+1cc to Mr. A.R.M.Ramesh, Advocate SR No.2410

+1cc to Special Government Pleader Sr No.1971

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13.01.2015

rg.20.01.2015

2p.6c.