



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.2946 of 2015
and MP(MD)No.1 to 4 of 2015

Hema

...Petitioner

Vs.

1.The Director of Municipal Administration,
Water Supply and Drainage Board,
Ezhilagam, Chepauk,
Chennai 600 005.

2.The Municipal Commissioner,
Melur Municipality,
Melur Post,
Madurai District.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the record in item No.1 of Na.Ka.No.2649/2014/A2 dated 23.02.2015 on the file of the 2nd respondent published in Dinathanthi Tamil daily dated 28.02.2015 in connection with tender for collection of daily fees in Melur Municipality Market and 106 stalls at Melur -Post & Taluk Madurai District and quash the tender notice as illegal arbitrary and direct the respondents to extend the license period to the petitioner by increasing 15% of existing of license fee relating to the item No.1 alone for the license period of 01.04.2015 to 31.03.2018 and pass such further or other orders as this Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.K.Chellapandian,AAG

Assisted by Mr.J.Gunaseelan Muthiah,
Government Advocate.

O R D E R

Today, when the matter came up for hearing, learned Additional Advocate General fairly brought to the notice of this Court that they have filed counter affidavit in which they have stated that since relevant dates of 15 clear days has not been complied with as per the Tender Transparency Act and also the last date is also over, the notification has to go insofar as the item No.1 alone is concerned.

2.In view of the above, the impugned notification is set aside insofar as the item No.1 alone is concerned. It is for the authorities to issue fresh notice. But at the same time, the petitioner has made a representation on 14.01.2015 seeking for extension which is still kept pending. Therefore, before such orders being passed, the second respondent shall consider the said representation and pass appropriate orders on merits and in accordance with law, after giving notice to the petitioner.



3. Accordingly, the writ petition is disposed of. No costs. Consequently, M.P(MD)Nos.1 to 4 of 2015 are closed.

Sd/-

Assistant Registrar(CO)

/True copy/

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Sub Assistant Registrar

To

1.The Director of Municipal Administration,
Water Supply and Drainage Board,
Ezhilagam, Chepauk,
Chennai 600 005.

2.The Municipal Commissioner,
Melur Municipality,
Melur Post,
Madurai District.

+1cc to Mr.D.Veerasekaran, Advocate in SR.13563

+1cc to Mr.J.Gunaseelan Muthaiah, Advocate in SR.13410

Writ Petition (MD)No.2946 of 2015
19.03.2015

sms

pbk 23/03/2015 ::2p-5c: