

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S. SIVAGNANAM

W.P.No.10296 of 2016

Thangaraj

..

Petitioner

Vs

The Chairman,
Kinathukadavu Town Panchayat,
Coimbatore District

..

Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondent to cancel the auction held on 28.12.2015 by the respondent for allotting the Shop No.23 to the petitioner in the respondent place and renew the lease for further period to the petitioner's shop situated in Kinathukadavu Town Panchayat, Commercial Complex in Central Bus Stand of Kinathukadavu, Coimbatore within the time limit stipulated by this Court.

For Petitioner : Mr.M.N. Balakrishnan
For Respondents : Mr.R.A.S.Senthilvel,
Addl. Govt. Pleader

ORDER

Heard Mr.M.N.Balakrishnan, learned counsel appearing for petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the respondent.

2. The petitioner has come forward with this Writ Petition for issuance of Writ of Mandamus to cancel the auction cum tender held on 28.12.2015 by allotting the shop No.23 to the petitioner in the respondent place and renew the lease for further period to the petitioner's shop situate in Kinathukadavu Town Panchayat, Commercial Complex in Central Bus Stand of Kinathukadavu, Coimbatore.

3. According to the petitioner, he is entitled to continue as a lessee. During the course of argument, a submission was made that except shop No.23, the remaining 24 shops were granted lease to the existing lessees itself. Therefore, this Court felt that there could be a case of discrimination. Hence, notice was issued to the respondent. On receipt of the notice,

learned Standing Counsel appearing for the respondent has placed entire original records before this Court, from which, it is clear that notice has been received by R.Umarani, who is the employee of the petitioner.

4. Infact, the respondent has also produced a photograph showing the Executive Officer handing over the tender notice to the employee of the shop. That apart, the original tender register has also been produced before this Court which shows that tender cum auction has been conducted with respect of all the shops and there is no reason to doubt the bonafides of the action initiated by the respondent. Hence, the relief sought for by the petitioner cannot be granted. Therefore, this Writ Petition is dismissed. No costs.
msr

s/d-
Assistant Registrar(CCC)

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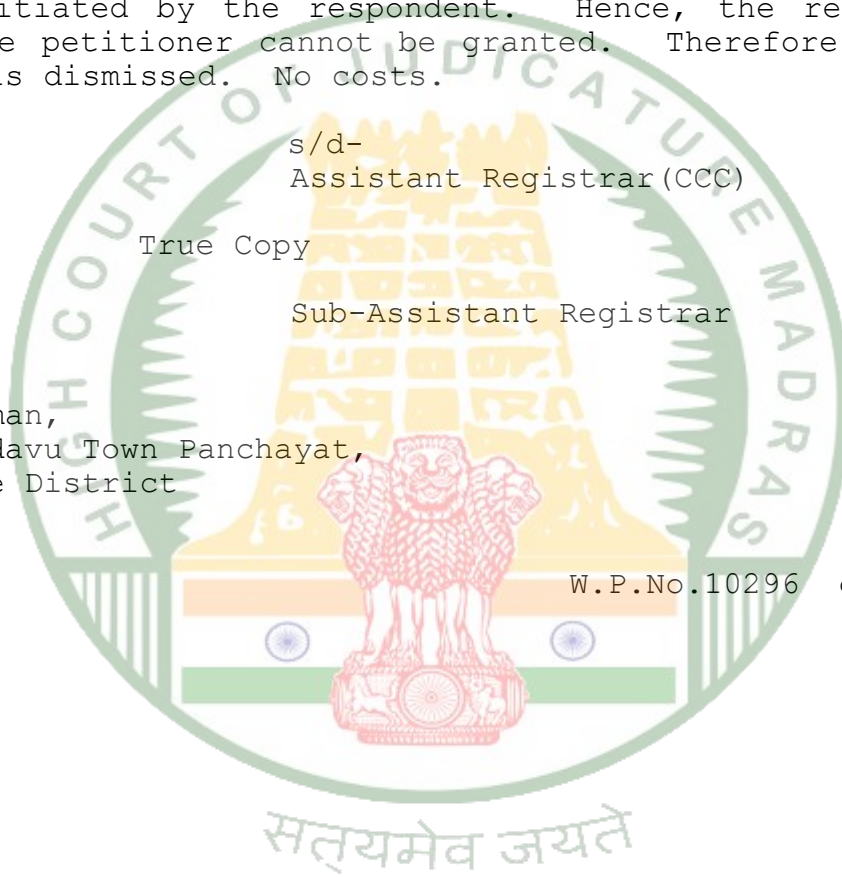
Sub-Assistant Registrar

To

The Chairman,
Kinathukadavu Town Panchayat,
Coimbatore District

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