

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.16188 of 2016

G.S.Arasu

.. Petitioner

-vs-

1.The Director,
Municipal Administration,
Ezhilagam, Chennai.

2.The Regional Director,
Municipal Administration,
Vellore District.

3.The Commissioner,
Gudiyatham Municipality,
Gudiyatham, Vellore District.

4.The District Collector,
Vellore District.
(R-4 suo motu impleaded as per order
of Court dated 28.04.2016 in WP.)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st and 2nd respondents to consider the representation given by the petitioner dated 23.03.2016 to cancel the amendment carry out by the 3rd respondent in Municipal Council Resolution No.240 dated 12.02.2016 to collect the lease amount in single installment which was stipulated in the conditions in tender notification.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

On perusal of the petition, we feel that the District Collector is the necessary party. Thus, we implead the District Collector, Vellore District, as the fourth respondent. Memo of parties be amended accordingly.

2.The grievance made by the petitioner is that while dealing with the tender, which had been examined by the Municipal Council, the Commissioner, at the behest of the Chairman, has amended Municipal Council Resolution No.240, dated 12.02.2016 without placing it before the House. The petitioner himself is a Councillor.

3.In view of the aforesaid, we call upon the District Collector / fourth respondent to look into the representation of the petitioner dated 23.03.2016 qua the alleged illegality of the amendment to the resolution and whether it was in accordance with law or not. The necessary exercise be undertaken within one (1) month of the receipt of the order.

4.Writ Petition stands disposed of. No costs.
sra

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1.The Director,
Municipal Administration,
Ezhilagam, Chennai.
- 2.The Regional Director,
Municipal Administration,
Vellore District.
- 3.The Commissioner,
Gudiyatham Municipality,
Gudiyatham, Vellore District.
4. The District Collector,
Vellore District.

+ 1 cc to Mr.D.Rajagopal, Advocate, SR 27299
+ 1 cc to Govt.Pleader, High Court, Madras SR 27079

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