

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-03-2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.26825 OF 2015

Hemanth Jayaraman

... Petitioner

-Vs-

1. The Chairman,
The Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
2. The Chief Executive Officer,
The Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
3. The Member Secretary,
The Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

... Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents 1 to 3 to conduct the draw of lots for the shop No.TF-93, Fruit Market Phase-II, Koyambedu Market, Chennai, among the persons who applied as per the publication dated 04.01.2009, and till date not withdrawn their EMD alone.

For petitioner : Mr.K.Sathishkumar

For respondents : Mr.P.Tamilmani

O R D E R

Petitioner participated in an auction conducted by the respondent-CMDA, by responding to a notification issued by CMDA for allotment of shops in Anna Fruit Market Complex in Koyambedu Wholesale Market.

2. It is submitted by the learned counsel for the respondents that pursuant to the said notification, 44 persons have submitted their offers and petitioner is one among them and ultimately the entire notification stood cancelled.

3. Now, the petitioner seeks for a direction to conduct draw of lots for the shop No.TF-93, Fruit Market Phase-II, Koyambedu Market, Chennai, as per the paper publication, dated 04.01.2009. This is on the ground that the petitioner's money is still lying with the respondents. If the notification published on 04.01.2009 itself stands cancelled, the question of conducting draw of lots would not arise thereto. In any event, the respondents are bound to abide the directions of the Hon'ble First Bench of this Court in W.A.No.1779 of 2013 and connected batch matters, dated 15.12.2014, and Review Application Nos.4 and 5 of 2015, dated 10.04.2015, and Review Appln. SR.Nos.39385 of 2015, dated 10.04.2015, by carrying out a fresh exercise.

4. Accordingly, this Writ Petition is disposed of, directing the respondents to comply with the directions issued by the Hon'ble First Bench of this Court, as stated supra. No costs. Consequently, the connected M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(J)

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Sub Assistant Registrar

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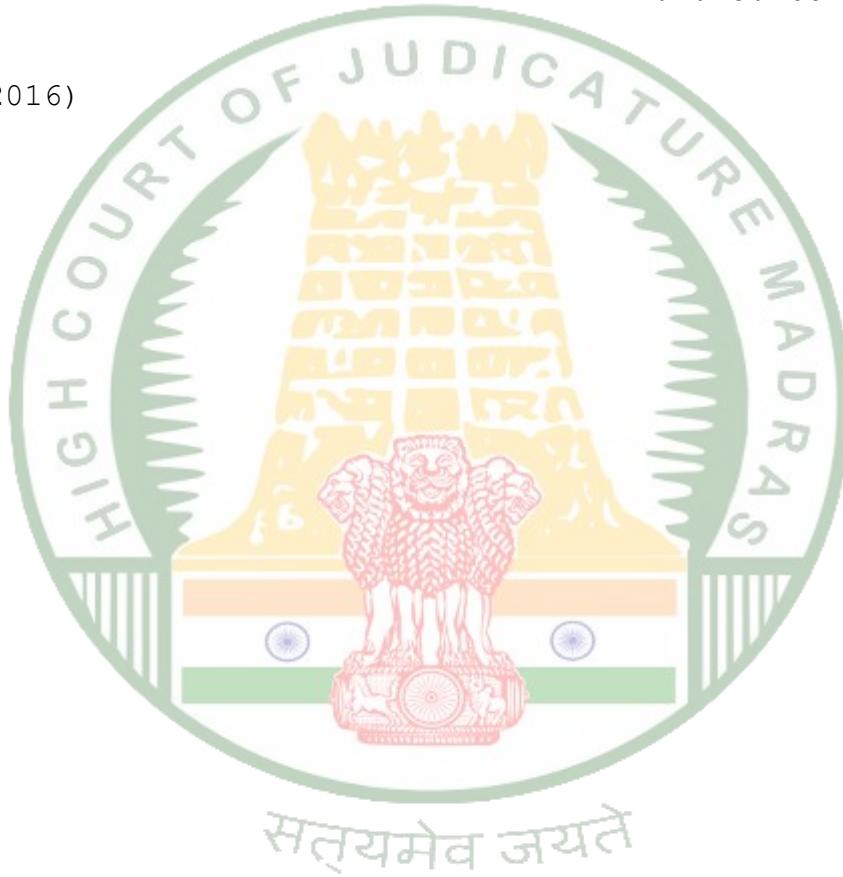
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+1cc to Mr.P.Mahalakshmi, Advocate, S.R.No.14575

W.P.No.26825 OF 2015

VD(CO)
CA(23/03/2016)



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