

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition No.31399 of 2016
and WMP.Nos.27251 and 27252 of 2016

M/s.Thai Media Entertainment

Rep by its Proprietor

Mr.Abuthahir

S/o.(Late) M.K.Abubacker

No.513, Yousef Maraikayar Line

N.H.Road, Coimbatore-641 001

..Petitioner

vs.

1.The State of Tamil Nadu

Rep. By

The Secretary to Government

Tamil Development and Information
(Exhibition) Department

Secretariat, Fort St.George

Chennai-600 009

2.The District Collector

District Collectorate Office

Coimbatore-18

3.The Commissioner

Coimbatore Corporation

Coimbatore-641 001

4.The Assistant Commissioner

Central Zone, Coimbatore Corporation

Coimbatore-641 018

5. M/s.Gokul Entertainments

No.144, Pogodhai Nagar

(OPP.Gowthan Lodge)

Avinashi Road

Coimbatore-641 014

..Respondents

Writ Petition filed praying to issue a Writ of Certiorarified Mandamus calling for the records and to quash the impugned order Na.Ka.No.5083/2016/A7(Ma) issued by the 4th respondent dated 26.08.2016, as being arbitrary and to direct the respondent to consider the application made by the petitioner dated 11.07.2016.

For Petitioner : Mr.A.Raja Mohamed
For Respondents: Mr.V.Ayyadurai, Addl.Advocate General
Assisted by Mr.P.V.Selvakumar &
Mr.K.Magesh for R1, R2, R3 and R4
Mr.T.Shanmugham for R5

O R D E R

The petitioner has come before this court, challenging the order passed by the 4th respondent dated 26.08.2016, by which the V.O.C.Park Maidan, VOC Ground located at Avinashi, Coimbatore, was allotted to the 5th respondent, for conducting exhibition, contending that the petitioner alone has applied for the allotment of the said ground for conducting exhibition.

2. Though many contentions were raised, Mr.Ayyadurai, learned Additional Advocate General appearing for respondents 1 to 4 would submit that the petitioner would be allotted the said V.O.C.Ground, for conducting business from 03.11.2016 to 04.12.2016. The said statement is recorded.

3. Accordingly, the 3rd respondent is directed to allot the said ground to the petitioner for the period from 03.11.2016 to 04.12.2016. After the said period is over, if the respondents wanted to allot the said ground for conducting exhibitions or for any other purpose, an open notification has to be given, inviting all the parties through paper publication so that highest income can be fetched by the 3rd respondent, which can be used for improving the infrastructure.

4. First come first serve basis would lead to misuse of power and illegal allotments and thereby causing loss to the local bodies; only when auction is conducted, it will enable the 3rd respondent to get higher income by participation of willing parties. The procedure for allotment should be followed very strictly in the interest of local bodies.

5. Mr.Ayyadurai, learned Additional Advocate General, further submits that for the period from 07.12.2016 to 16.01.2017, a decision has already been taken to allot the said ground to some 3rd parties, and therefore, tenders for auctioning the exhibition rights of the ground should be open from February 2017 onwards for conducting exhibitions on the last week of

January, 2017. The said submission is also recorded.

The Writ Petition is disposed of with the above observation. No costs. Consequently, connected MPs are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nvsri

To

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(Exhibition) Department
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+1 cc to Mr.K.Magesh Advocate sr 58071
+1 cc to Government Pleader sr 58177

W.P.No.31399 of 2016

aa14/10/2016

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