

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.03.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.8300 of 2016 &
WMP Nos.7364 & 7365 of 2016

Jayakodi

[PETITIONER]

Vs

1 The District Collector
Vellore District
Vellore.

2 The Commissioner (BDO)
Kandili Village, Tirupattur Taluk
Vellore District.

3 Swaminathan

[RESPONDENTS]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari to call for the records pertaining to the impugned notice and its subsequent orders pursuant to the proceedings of the Second respondent in Na.Ka.A3/171/2016 dated 09.02.2016 on the file of The Commissioner, Kandili Village, Tirupattur Taluk, Vellore District the Second Respondent herein and to quash the same.

For Petitioner : Mr.S.D.Ramalingam

For Respondents : Mr.R.Rajeswaran - R1 & R2
Special Government Pleader

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O R D E R

Heard Mr.D.Ramalingam, learned counsel for the petitioner, Mr.Mr.R.Rajeswaran, learned Special Government Pleader accepting for the respondents 1 and 2 and with the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.The petitioner has filed this Writ Petition challenging the Auction Notification issued by the second respondent dated

09.02.2016, on the ground that no proper publicity was given prior to the auction and the petitioner and others have been prevented from participating in the auction. In this regard, the petitioner has invited the attention of this Court to the representation submitted to the first respondent, dated 02.03.2016, signed by 17 persons.

3.Since, auction has already been over on 29.2.2106, at this stage of the matter all that this Court can do is to direct the District Collector to look into the representation/complaint submitted by the petitioner and 16 others dated 02.03.2016.

4.Accordingly, the Writ Petition is disposed of by directing the first respondent to consider the representation/complaint dated 02.03.2016, verify the manner in which the auction was conducted by calling for appropriate report from the second respondent and pass orders on merits and in accordance with law and communicate same to the petitioner within a period of three weeks from the date of receipt of a copy of this order. The petitioner is also directed to enclose the copy of the representation and submit the same to the first respondent along with the copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1 The District Collector
Vellore District
Vellore.
- 2 The Commissioner (BDO)
Kandili Village, Tirupattur Taluk
Vellore District.

+1cc to Mr.S.D.Ramalingam, Advocate Sr.14239

W.P. No.8300 of 2016

lrs (CO)
srg (09/03/2016)