



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.14272 of 2016

and

W.M.P. (MD) .No.10597 of 2016

Kannan @ Muthukrishnan

... Petitioner

Vs

1.The District Collector,
Thanjavur District.

2.The Assistant Director,
Selection Grade Town Panchayat,
Panagal Building,
Thanjavur.

3.The Executive Officer,
Selection Grade Town Panchayat,
Thiruvaiyaru,
Thanjavur District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the third respondent in his proceedings in Na.Ka.No.6/2016/A1 dated 15.07.2016 and quash the same and consequently direct the third respondent to consider the petitioner's representation dated 30.07.2016.

For petitioner : Mr.C.Shanmugasundaram

For R.1&2 : Mr.G.Muthukannan
Additional Government Pleader

For R.3 : Mr.R.Anadharaj for
Mr.Alagudevan

ORDER

The petitioner challenges the proceedings, dated 15.07.2016, of the third respondent on the ground that, without notice to the petitioner, the respondents have brought the hotel run by him to public auction.



2. Learned counsel for the petitioner submitted that the petitioner has been granted licence to run the hotel in question for the last six years without any complaint whatsoever from the public. He spent about Rs.20 Lakhs for its interior works. While so, all of a sudden, the respondents have brought the hotel in question to public auction leaving the petitioner in the lurch. Therefore, he has come forward with the present Writ Petition.

3. Mr.R.Anandharaj, learned Government Advocate, after taking notice, submitted that, as on date, the dues on the part of the petitioner runs to the tune of Rs.4,00,000/- and therefore, the question of extending license in his favour does not arise. According to him, the petitioner is not also entitled to participate in the public auction.

4. Considered the submissions made on either side and perused the materials available on record.

5. I find merits in the submissions of the learned Government Advocate. When the petitioner has not cleared the outstanding which runs to about Rs.4 Lakhs, this Court cannot give any positive direction to the respondents, for, in a matter like this, the role of the Court is very much limited.

6. Accordingly, this Writ Petition fails and it stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Thanjavur District.
- 2.The Assistant Director,
Selection Grade Town Panchayat,
Panagal Building, Thanjavur.
- 3.The Executive Officer,
Selection Grade Town Panchayat,
Thiruvaiyaru, Thanjavur District.

sm:SKS-RR:31/08/2016:2P/4C

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