

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.6799 of 2013

Shrine Basilica of
Our Lady of Health Vailankanni,
rep. by its Rector,
Rev. Fr. A. Michael,
Nagapattinam.

... Petitioner

vs.

The Executive Officer,
The Special Grade Town Panchayat,
Vailankanni - 611 111
Nagapattinam District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus calling for the records of the respondent in pursuance to the auction cum tender notice in Na.Ka.No.82/2013, dated 06.03.2013, quash the same and forbearing the respondent from conducting the auction proposed to be held on 22.03.2013 or any other future date to which it may be adjourned and for collecting for any amount from the vehicles entering Vailankanni in the form of Toll gate, Kist or entry fees.

For Petitioner : Mr.M.S.Palaniswamy

For Respondent : Mr.G.Sankaran

सत्यमेव जयते
O R D E R

It is seen that pursuant to the interim order granted by this Court, the tender with regard to collection of entry fee was stayed and no auction took place.

2. According to the learned counsel for the petitioner, the respondent has disobeyed the order of this Court passed in W.A.No.263 of 1998.

3. This Court is of the view that if there is any disobedience of the order of this Court, it is open to the petitioner to file necessary application and the same may be taken up, provided it is well within time and it is in accordance with the Statute. This Court cannot go into the said

question in the present Writ Petition, as the petitioner has obtained an interim order. Moreover, as the tender period is already over, nothing survives for consideration in this Writ Petition.

Hence, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected M.P.No.1 of 2013 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

(aeb)

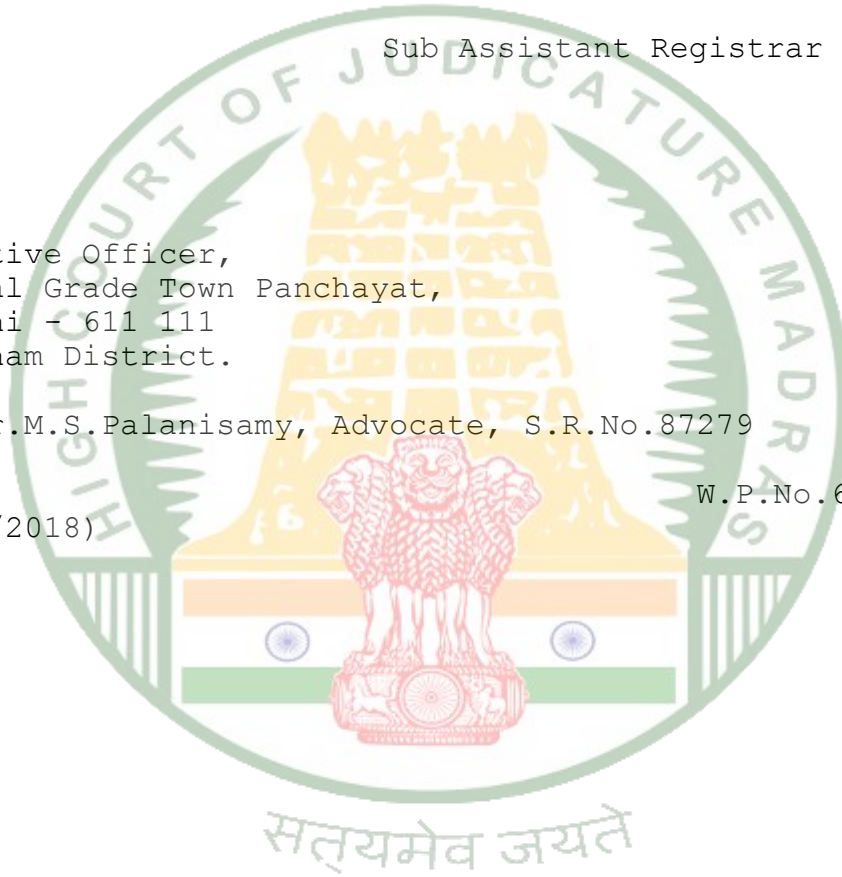
To:

The Executive Officer,
The Special Grade Town Panchayat,
Vailankanni - 611 111
Nagapattinam District.

+1cc to Mr.M.S.Palanisamy, Advocate, S.R.No.87279

W.P.No.6799 of 2013

RRK(08/01/2018)



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