

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Monday, the Fourth day of September Two Thousand Seventeen****PRESENT****The Hon`ble Mr Justice R.MAHADEVAN****WMP(MD) No.12332 of 2017****IN****WP(MD) No.5513 of 2017**

K.P.MUNICHAMY

... PETITIONER

Vs

1.THE COMMISSIONER OF MUNICIPAL ADMINISTRATION,
MUNICIPAL ADMINISTRATION DEPARTMENT,
EZHILAGAM ANNEX, 6TH FLOOR, CHENNAI.

2.THE MUNICIPAL COMMISSIONER,
TENDER INVITING AUTHORITY,
KARAIKUDI MUNICIPALITY,
SIVAGANGAI DISTRICT.

3.THIRU. SP. KARUNGAPPAN,
NO. 79, RAILWAY MAIN ROAD, KARAIKUDI,
SIVAGANGAI DISTRICT.

... RESPONDENTS

Prayer in WMP(MD). 12332/ 2017 :

This Petition filed under Article 226 of the Constitution of India, praying to set aside the order of dismissal for non prosecution passed by this Court on 02.08.2017 and restore the WP (MD)No.5513 of 2017 and WMP(MD)Nos.4398 & 4399 of 2017.

Prayer in WP(MD). 5513/ 2017 :

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned award of work order issued by 2nd respondent to the 3rd respondent through the letter of acceptance in ROC.NO.508/2013/E1 by his proceedings dated 01.03.2017 relevant to the notification in Na.Ka.No.508/2013/E1 dated 11.01.2016 in respect of Construction of Fish Market(TS No.559 Ward No.2 Block No.18) at Kalanivasal road, Karaikudi Municipality and quash the same and consequently direct them to re-open the same by giving opportunity to the petitioner.

ORDER : This petition coming on for hearing on this day upon perusing the petition and affidavit and material papers of this petition and upon hearing the arguments of Mr.J.VIJAYARAJA, Advocate for the Petitioner and Mr.G.GUNASEELANMUTHIAH, for R1 and



Mr.P.MAHENDRAN for R2 and Mr.S.M.SANJAY for R3, this Court made the following order:-

This Petition was filed to set aside the dismissal order dated 02.08.2017, which was dismissed for non-prosecution and to restore the writ petition in W.P(MD)NO.5513 of 2017.

2.Heard the learned Counsel appearing on either side. The learned counsel appearing for the respondents have no objection for allowing this petition.

3.Accordingly, this Petition is allowed. Post this matter on 18.09.2017.

Sd/-

Assistant Registrar(RECORD)

/True Copy/

Sub Assistant Registrar

TO

1.THE COMMISSIONER OF MUNICIPAL ADMINISTRATION,
MUNICIPAL ADMINISTRATION DEPARTMENT,
EZHILAGAM ANNEX, 6TH FLOOR, CHENNAI.

2.THE MUNICIPAL COMMISSIONER,
TENDER INVITING AUTHORITY,
KARAIKUDI MUNICIPALITY,
SIVAGANGAI DISTRICT.

3.THE SECTION OFFICER, WRIT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE SECTION OFFICER, E.R SECTION(WRIT),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GK

JS/RSK/SAR.3/11.09.2017/2P-5C

ORDER DATED:04.09.2017
HEARING DATE:18.09.2017

ORDER

WMP (MD) No.12332 of 2017
IN
WP(MD) No.5513 of 2017

WRIT PETITION AND
MISCELLANEOUS PETITIONS ARE
RESTORED.



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