



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.10411 of 2017

K.Chelladurai

... Petitioner

-Vs-

The Commissioner,
Kovilpatti Municipality,
Kovilpatti,
Tuticorin District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 08.12.2016 with regard to return the deposit amount of Rs.5,00,000/- and other relevant documents.

For Petitioner : Mr.P.Subbaraj

For Respondent : Mr.M.Saravanan

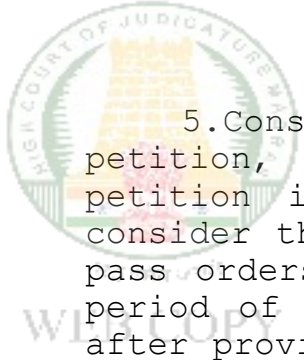
ORDER

The writ petition has been filed to direct the respondent to consider the petitioner's representation, dated 08.12.2016 with regard to return the deposit amount of Rs.5,00,000/- and other relevant documents.

2.The case of the petitioner is that pursuant to the notification issued by the respondent, the petitioner participated in the public auction and he was also declared as successful bidder in respect of shop No.3 at Anna Bus Stand, Kovilpatti and subsequently, the petitioner had deposited Rs.5,00,000/- and also produced solvency certificate for Rs.45,00,000/-.

3.The petitioner would state that the monthly rent for the shop was fixed at Rs.45,000/-, however the respondent has not handed over the shop to the petitioner till date. Hence, he gave a representation, dated 08.12.2016 requesting to release the amount and other documents. Since, no action was taken, this writ petition has been filed.

4.Heard Mr.P.Subbaraj, learned counsel appearing for the petitioner and Mr.M.Saravanan, learned counsel for the respondent and perused the materials available on record.



5.Considering the nature of the prayer sought in this writ petition, without going into the merits of the case, this writ petition is disposed of with a direction to the respondent to consider the representation of the petitioner, dated 08.12.2016 and pass orders purely on merits and in accordance with law, within a period of four weeks from the date of receipt of the order copy, after providing opportunity of hearing to the petitioner as well as the necessary parties, if any. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Kovilpatti Municipality,
Kovilpatti,
Tuticorin District.

+1cc to Mr.M.SARAVANAN Advocate in SR. No. 62611
+1cc to Mr.P.SUBBARAJ Advocate in SR. No.62475
ER
JS/SKN.RSK/SAR.4/13.07.2017/2P-4C

W.P. (MD) No.10411 of 2017
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