



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.1230 of 2017

and

W.M.P (MD) Nos.1031 and 1032 of 2017

T.Balu

.. Petitioner

Vs.

The Municipal Commissioner
Devakottai Municipality,
Devakottai,
Sivagangai District.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to the impugned Tender cum Auction Notice in Na.Ka.No.3294/2016/A2 dated 02.01.2017 published in the Dhinakaran Tamil News Daily on 04.01.2017 insofar it relates to auctioning of the license for collecting the rent in the Daily Vegetable Market in column No.5, and quash the same.

For Petitioner : Mr.R.Vijayakumar
For Respondent : Mr.H.Mohammed Imran

ORDER

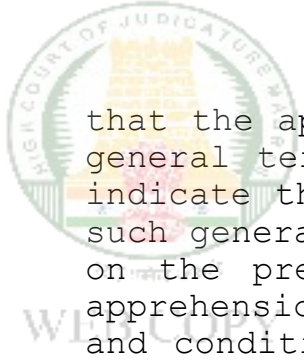
The petitioner is aggrieved against the Tender-cum-Auction Notice insofar it relates to auctioning of the license for collecting the rent in the Daily Vegetable Market in column No.5.

2.Mr.H.Mohammed Imran, learned counsel takes notice for the respondent.

3.The only grievance of the petitioner is that the respondent has issued the impugned Tender notification without fixing the actual amount to be collected from the respective shops and therefore, that would lead to confusion and also in allowing the successful bidder to collect arbitrary amount from the persons running the shops.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned counsel appearing for the respondent submitted



that the apprehension of the petitioner is not well founded, as the general terms and conditions annexed to the tender process clearly indicate the actual amount to be collected from each shops and when such general condition is also stated in the notification as binding on the present tender process, the petitioner need not have any apprehension. He has also produced the copy of the general terms and conditions, wherein it is specifically referred to the quantum of amount to be collected from the respective shops. Therefore, I find that the apprehension of the petitioner is not having any substance and therefore, based on such apprehension, the petitioner is not entitled to file such writ petition.

5. Accordingly, this writ petition is dismissed by recording the submission made by the learned counsel appearing for the respondent. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

The Municipal Commissioner
Devakottai Municipality,
Devakottai,
Sivagangai District.

+ 1 CC TO Mr.R.VIJAYAKUMAR, ADVOCATE IN SR No. 4305
+ 1 CC TO Mr.H.MOHAMMED IMRAN, ADVOCATE IN SR No. 4392

SKN
TE/CM-MSA : 09/02/2017 : 2P/4C

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