



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

WEB COPY

W.P. (MD) No. 12394 of 2017

and

W.M.P (MD) No. 9540 of 2017

M. Thulasimani

.. Petitioner

-Vs-

1. The Commissioner,
Municipal Administration, Water Supply,
Ezhilagam, Chepauk,
Chennai.

2. The Commissioner,
Kovilpatti Municipality,
New Road, Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to confirm the bid of Rs.10,200/- of the petitioner regarding Shop No.12 in Anna Bus Stand, Kovilpatti, the auction conducted by the second respondent, dated on 21.06.2017 and direct them to allot the Shop no.12 in the name of the petitioner.

For Petitioner

: Mr.S.Siva Ilayaraja

For R-1

: Mr.C.Selvaraj

Special Government Pleader

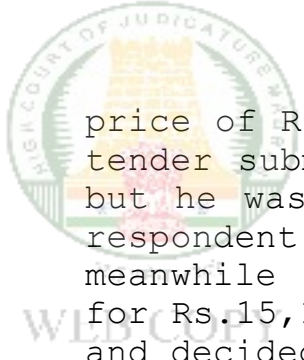
For R-2

: Mr.N.Dilipkumar

O R D E R

This writ petition is filed for issuance of a Writ of Mandamus to direct the second respondent to confirm the bid of Rs.10,200/- of the petitioner regarding Shop No.12 in Anna Bus Stand, Kovilpatti, the auction conducted by the second respondent, dated on 21.06.2017 and direct them to allot the Shop no.12 in the name of the petitioner.

<https://hcservices.courtsofgov.in/hcservices> Mr. N. Dilip Kumar, learned counsel for the second respondent would submit that the petitioner was a successful bidder in the auction conducted on 21.06.2017 and she has quoted the highest



price of Rs.10,200/-. However, the respondent has received another tender submitted by one Subbiah and he was quoted as Rs.15,000/-, but he was not present on the date of auction. Hence, the second respondent did not confirm the bid of the petitioner. In the meanwhile the petitioner gave a letter quoting her tender amount for Rs.15,100/-. But the second respondent did not accept the same and decided to conduct a fresh auction.

3. The learned counsel for the petitioner would submit that since the said Subbiah was not willing to take the shop and the second respondent municipality issued a fresh notification. He would further submit that the petitioner is ready to participate in the auction to be conducted by the second respondent on 12.07.2017 and she may be permitted to participate without insisting to produce fresh Demand Draft.

4. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent and perused the records.

5. In view of the above submission made by the learned counsel for the petitioner, without going to the merits of the case, this Court directs the second respondent to permit the petitioner to participate in the auction to be held on 12.07.2017 without insisting her to issue fresh Demand Draft.

6. With the above direction, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Commissioner,
Municipal Administration, Water Supply,
Ezhilagam, Chepauk, Chennai.
 - 2.The Commissioner, Kovilpatti Municipality,
New Road, Kovilpatti, Thoothukudi District.
- +One cc to Mr.S.Siva Ilayaraja, Advocate, SR.No.64701
+One cc to Mr.N.Dilip Kumar, Advocate, SR.No.64495
+One cc to The Special Government Pleader, SR.No.64676

PJL

RL/6C/2P/SV/SAR2/20/7/2017

W.P. (MD) No.12394 of 2017
10/07/2017