



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.14854 of 2017 and
W.M.P.(MD) No.11704 of 2017

Mrs.M.Thulasimani

... Petitioner

-vs-

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

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to confirm and issue allotment order for the Shop No.12, situated in Anna Bus Stand, Kovilpatti in favour of the petitioner, who emerged as successful bidder for a sum of Rs.11,000/-in the public auction conducted by 2nd respondent dated on 12.07.2017.

For Petitioner : Mr.S.Siva Ilayaraja

For R1 : Mr.S.Kumar
Addl. Govt. Pleader

For R2 : Mr.N.Dilip Kumar

O R D E R

This writ petition has been filed, seeking a direction to the 2nd respondent to confirm and issue allotment order for the Shop No.12, situated in Anna Bus Stand, Kovilpatti in favour of the petitioner, who emerged as successful bidder for a sum of Rs.11,000/-in the public auction conducted by 2nd respondent dated on 12.07.2017.



3. The case of the petitioner is that though the petitioner was declared as a successful bidder in the auction held on 21.06.2017, for the purpose of augmenting more income to the Municipality, the 2nd respondent issued a notification for re-auction, which was scheduled to be held on 08.08.2017, but there was no participant. It is the further case of the petitioner that though the petitioner duly participated in the auction and emerged as a highest bidder for a sum of Rs.11,000/-, the 2nd respondent has been wantonly dragging his feet without issuing allotment order in favour of the petitioner.

4. At this juncture, the learned counsel for the second respondent has submitted that now the 2nd respondent is going to confirm the auction in favour of the petitioner at the rate of Rs.11,000/-, which was the highest bid amount.

5. In view of the above, the petitioner is directed to file an affidavit before the concerned authority, within a period of one week from the date of receipt of a copy of this order, agreeing to pay the monthly rent, namely, Rs.11,000/- and on filing such an affidavit, the 2nd respondent is directed to accept the same and grant the tender in favour of the petitioner, within a period of two weeks thereafter, subject to the petitioner fulfilling all other conditions, relating to the lease.

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

Sd/-

Assistant Registrar(Crl.Side)

/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.

+1CC to Mr.N.Dilip kumar, Advocate, SR.No.74851

+1CC to Mr.S.Siva Ilayaraja, Advocate, SR.No.74769

+1CC to the Special Government Pleader SR.No. 75340

W.P(MD)No.14854 of 2017

28.08.2017