



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 31.01.2017

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THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

W.P (MD) No.1491 of 2017

and

W.M.P (MD) Nos.1206 and 1207 of 2017

P.Sathish Kumar

..Petitioner

Vs

The Municipality,
Pudukkottai,
represented by its Commissioner.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the respondent Municipality the pre-auction shop notice in his proceedings in Na.Ka.No.108/2015/A4, dated 22.12.2016 and to quash the same as of no legal consequence and to forbear the respondent not to invite any tenders or any proposals until such time the Municipal Executive Regional Director, Tanjore fixes the quantum of deposit and rent for the properties the commercial shops at Pudukkottai Municipal Bus Stand.

For Petitioner :M/s.V.Singan

For Respondent :Mr.P.Mahendran

ORDER

This Writ Petition is filed challenging the pre-auction notice, dated 22.12.2016.

2.Mr.P.Mahendran, learned counsel takes notice for the respondent.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.Mr.P.Mahendran, who takes notice for the respondent, submitted that the very auction that was sought to be conducted on 24.01.2017, as per the impugned notification, did not take place, since no one has participated on the said day in the service portal. Therefore, he submitted that the auction proceedings were postponed without specifying any date. He further submitted that as and when a fresh date is fixed, it will be duly notified in the newspapers.



5. Therefore, this Court is of the view that the present Writ Petition has become infructuous. However, if fresh auction notice is issued, it is open to the Petitioner to challenge the same, if he has any grievance against any of the terms and conditions stipulated therein.

6. In view of the same, the writ Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-
Assistant Registrar (AS)

/TRUE COPY/

Sub Assistant Registrar

To

The Commissioner,
Municipality,
Pudukkottai.

+1 cc to MR.V.SINGAN, ADVOCATE, SR NO:5062
+1 cc to MR.P.MAHENDRAN, ADVOCATE, SR NO: 4976

W.P (MD) No.1491 of 2017
31.01.2017

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SVA/SV/MMS/08.02.2017/2P/4C



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