



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.15046 of 2017andW.M.P(MD) Nos.11882 and 11883 of 2017

V.Karthick

... Petitioner

Vs.

The Commissioner
Pudukkottai Municipality,
Pudukkottai,
Pudukkottai District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the impugned tender cum auction paper notification passed by the respondent in his proceedings ந.க.எண்/108/2016/அ4, dated 24.07.2017 and quash the same as illegal.

For Petitioner : Mr.B.Anandan
For Respondent : Mr.P.Mahendran
Standing Counsel

O R D E R

This writ petition has been filed, seeking to quash the impugned proceedings, dated 24.07.2017, issued by the respondent.

2. Mr.P.Mahendran, learned Standing Counsel takes notice for the respondent. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that the respondent Municipality intended to allot the shops under construction through public auction and the petitioner is one of the aspirants to take the same through auction. The respondent Municipality vide his proceedings dated 25.07.2017 published the auction cum tender notification in the Daily Thanthi newspaper. As per tender notification, there are 41 shops which would be constructed soon. With regard to conversion of the lodges into that of the shops, an objection was raised, for which a writ petition in W.P.(MD) No.4379 of 2017 was filed before this Court, wherein this Court, by order dated 15.03.2017, directed the Government to look into the issue by considering the representation dated 08.03.2017 within a period of one month, but so far, no action was taken to dispose of the said representation. Without complying with the earlier order of this



Court, now the respondent issued the impugned auction notification. Hence, the petitioner has come before this Court seeking to quash the same.

4. According to the learned Counsel for the petitioner, the prayer in the earlier writ petition in W.P.(MD) No.4379 of 2017 was to direct the respondents therein to construct Travellers Room on the basis of the representation of the petitioner therein and the Commissioner, Pudukkottai Municipality, without passing any orders on the said representation, has decided to construct a shopping complex in the place where the travellers rooms are available. In this regard, an auction is going to be held on 11.08.2017 and the respondent also floated a tender with the closing date as 10.08.2017. It is the grievance of the petitioner that there is no mention about the outer time limit in the notification for completion of the proposed project, viz., construction of shops.

5. Under such circumstances, to give quietus to the issue, the petitioner is permitted to participate in the tender along with other bidders. The respondent shall intimate the appropriate outer time limit for the completion of work as well as handing over of all the shops.

6. With the above observation and direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To:

The Commissioner
Pudukkottai Municipality,
Pudukkottai,
Pudukkottai District.

+1cc to Mr.P.MAHENDRAN Advocate in SR. No.72198

+1cc to Mr.B.ANANDAN Advocate in SR. No.71926

RM

JS/KP/SAR.1/22.08.2017/2P-4C

W.P(MD)No.15046 of 2017
10.08.2017