



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.10.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.18652 of 2017

WEB COPY

K.Arul Jothyi

... Petitioner

vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Executive Officer,
Selection Grade Panchayat,
Manamadurai,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the representations dated 18.09.2017 and 04.10.2017 respectively and not to include the Varachandai complex Manamadurai Second Grade panchayat in Public Auction proceeding will be held on 10.10.2017 by virtue of the Notification in Na.Ka.No.75/2017 issued by the 2nd respondent.

For Petitioner : Mr.M.Ramu
For R - 1 : Mr.J.Gunaseelan Muthiah
Government Advocate
For R - 2 : Mr.G.Muthukannan
Government Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondents to consider the representations of the petitioner dated 18.09.2017 and 04.10.2017 and not to include the Varachandai complex, Manamadurai Second Grade panchayat in the auction proceedings, to be held on 10.10.2017, by virtue of the Notification in Na.Ka.No.75/2017 issued by the second respondent.

2.The case of the petitioner is that he is doing idly business in shop No.1 of Vaarachandai complex and paying daily rent to the second respondent. While so, the second respondent has issued a notification to conduct public auction with regard to the Varachanthai. Aggrieved by the same, the petitioner has preferred the above said representations. Since no action has



been taken so far, the present Writ Petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Government Advocates for the respondents. By consent, the Writ Petition itself is taken up for final disposal at the stage of admission.

4. The learned Government Advocate appearing for the second respondent would submit that subsequent to the representations of the petitioner, the second respondent has passed an order dated 05.10.2017 in Na.Ka.No.386/2017, rejecting the claim of the petitioner.

5. In view of the submission made by the learned Government Advocate, this Writ Petition is dismissed, granting liberty to the petitioner to challenge the order passed by the second respondent dated 05.10.2017, if so advised. No costs.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai,
Sivagangai District.

2. The Executive Officer,
Selection Grade Panchayat,
Manamadurai,
Sivagangai District.

+1cc to M/S. Special Government Pleader, SR. 82166

W.P (MD) No.18652 of 2017
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mj

KK/SV MMS/SAR 2/25.10.2017/ 2P- 4C/