



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :24.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.18884 of 2017 and
WMP(MD)Nos.15238 to 15240

WEB COPY

K.Arul Jothy

.. 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 for issuance of a Writ of Certiorarified Mandamus, calling for the records in the impugned order passed by the second respondent in Na.Ka.No.386 of 2017, dated 05.10.2017 and quash the same and consequently direction to the second respondent not to include the Varachandai Complex, Manamadurai Selection Grade, Panchayat, Manamadurai, Sivagangai District in the Auction Proceeding in Na.Ka.No.75 of 2017 dated 20.09.2017 issued by the second respondent.

For Petitioner

: Mr.M.Ramu

For Respondent -1

: Mr.J.Gunaseelan Muthiah,
Government Advocate

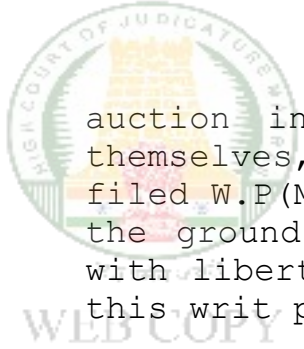
For Respondent -2

: Mr.G.Muthukannan
Government Advocate

ORDER

This writ petition is filed seeking to quash the order passed by the second respondent in Na.Ka.No.386 of 2017, dated 05.10.2017 and to direct the second respondent not to include the Varachandai Complex, Manamadurai Selection Grade, Panchayat, Manamadurai, Sivagangai District in the Auction Proceeding in Na.Ka.No.75 of 2017 dated 20.09.2017.

2.The learned counsel appearing for the petitioner would submit that the petitioner has been doing business in one of the ten shops at Varachandai Complex, Manamadurai Selection Grade Panchayat, Manamadurai, Sivagangai District for more than five years and paying daily rent to the second respondent. While so, the second respondent issued public auction notice dated 20.09.2017 in respect of the shops. Hence, the petitioner along with others sent a representation on 04.10.2017 to the respondents requesting not to conduct public



auction in respect of the shops and to collect the rent from themselves, since such request was not considered, the petitioner filed W.P(MD)No.18652 of 2017, which was dismissed on 09.10.2017, on the ground that the representation of the petitioner was rejected with liberty to challenge the same. Hence, the petitioner has filed this writ petition to quash the order of rejection.

3.After Notice, the learned Government Advocate appearing for the second respondent would submit that the rent for the shops is collected only by the authorities concerned and there is no proposal now to hand over the same to the third parties by conducting auction. Such statement of the authorities is agreeable to the petitioner.

4.Recording such submission of the learned Government Advocate, this writ petition is closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/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 Mr.M.RAMU,Advocate,SR.83620

+1cc to M/S.Special Government Pleader,SR. 83845

W.P (MD) No.18884 of 2017
24.10.2017

DSK

KK/SV MMS/SAR 2/07.11.2017/ 2P- 5C/