



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.20440 of 2017

and

W.M.P.(MD) No.16714 of 2017

Abdullah

... Petitioner

-Vs-

1. The State Government of Tamil Nadu,
Represented by its Commissioner of Municipal Administration,
Annex Building 6th Floor,
Chepauk,
Chennai-600 005.
2. The District Collector,
Trichy District,
Trichy.
3. Trichirappalli District Co-operative Milk Producers Union,
Represented by its General Manager,
Kottapattu,
Pudukkottai Road,
Trichirappali-620 023.
4. The Special Officer Cum Commissioner,
Manapparai Municipality,
Manapparai, Trichy District.
5. The Regional Director of Municipal Administration,
Thanjavur Region,
No.1, Ayya Street,
Near Kodimarathu Moolai,
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the fourth respondent in Na.Ka.No.744/2017/A2 dated 28.10.2017 and quash the same and consequently directing the respondents No.4 and 5 to allot one shop to the petitioner's Sangam in the Manapparai New Bus Stand, Manapparai Taluk, Trichy District for establishing Aavin Booth.

For Petitioner

: Mr.A.Joel Paul Antony

For Respondents 1 to 3

: Mr.M.Alagu Devan

and 5

Government Advocate

For 4th Respondent

: Mr.J.Lawrance

**ORDER**

The petitioner challenges the order dated 28.10.2017 passed by the fourth respondent herein. The petitioner seeks allotment of a shop for vending of Aavin products in one of the shops in the Manaparrai Bus Stand.

2.The learned counsel appearing for the petitioner places reliance on the communication said to have been issued by the third respondent. The third respondent has no statutory authority to give any direction to the fourth respondent to allot a shop in the Manaparrai Bus Stand premises. It has been consistently held that public properties cannot be given away on patronage to any person. The said allotment should necessarily be made only through auction.

3.The fourth respondent has rightly rejected the request of the writ petitioner. In any event, it is not Aavin which is before this Court. It is only a private individual who has come to this Court. The petitioner has no *locus standi* and has no right either. There is no merit in this writ petition. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, the connected W.M.P.(MD) No.16714 of 2017 is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Municipal Administration,
The State Government of Tamil Nadu,
Annex Building 6th Floor,
Chepauk,
Chennai-600 005.
2. The District Collector,
Trichy District,
Trichy.
3. The General Manager,
Trichirappalli District Co-operative
Milk Producers Union,
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Pudupattanam Road,
Trichirappalli-620 023.



4. The Special Officer Cum Commissioner,
Manapparai Municipality,
Manapparai, Trichy District.

5. The Regional Director of Municipal Administration,
Thanjavur Region,
No.1, Ayya Street,
Near Kodimarathu Moolai,
Thanjavur.

+1cc to Spl.Government Pleader Sr.No.86001

+1cc to Mr.J.Lawrance, Advocate Sr.No.86097

+1cc to Mr.A.Joel Paul Antony, Advocate Sr.No.86086

VSG/CP

VB/GT/SAR4/22/11/2017/3P/9C

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and
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