



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)Nos.2798 and 2799 of 2017

and

W.M.P(MD)Nos.2302 and 2303 of 2017

SP.Muruganantham

.. Petitioner in both W.Ps.

Vs.

1. The District Collector,
Sivagangai District, Sivagangai.

2. The Tahsildar,
Karaikudi Taluk, Sivagangai District.

3. The Block Development Officer,
Kallal Panchayat Union, Kallal,
Sivagangai District.

.. Respondents in both W.Ps.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to confirm auction dated 13.02.2017 to lease out the rights to cut Velikaruvela Trees stands in Kasthurimangalam Kanmaai comprised in Survey Nos.2, 26, 35 of Devapattu Village Group and Chinnanachi Kanmaai comprised in Survey No.4 of Devapattu Village Group, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.V.Kannan
in both W.Ps.

For Respondents 1 and 2 : Mr.M.Govindan,
in both W.Ps. Special Government Pleader.

For Respondent No.3 : Mr.J.Gunaseelan Muthiah
in both W.Ps. Government Advocate.

COMMON ORDER

[Common Order of the Court was made by **A.SELVAM, J.**]

These writ petitions have been filed under Article 226 of the Constitution of India praying to direct the second respondent to confirm the auction alleged to have been conducted on 13.02.2017, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner in both the petitions has repeatedly contended to the effect that on 13.02.2017 an auction has been conducted by the second respondent



in respect of removal of Seemakaruvelam Trees in the places mentioned in the petitions and the petitioner has become successful bidder and subsequently he has also taken a Demand Draft, but the second respondent has failed to confirm the auction concluded in favour of the petitioner and under the said circumstances, these writ petitions have been filed.

3.The learned Special Government Pleader appearing for the respondents 1 and 2 has contended to the effect that on 13.02.2017 in respect of the places mentioned in the petitions, arrangements have been made for conducting auction and except the petitioner, nobody has participated and therefore the second respondent has cancelled the auction and under the said circumstances question of confirming auction does not arise and therefore the present writ petitions deserve to be dismissed.

4.In fact this Court has perused the entire documents filed on the side of the petitioners and ultimately found that the auction alleged to have been conducted on 13.02.2017 has not been concluded in favour of the petitioner. Since no document has been filed on the side of the petitioner for the purpose of showing that he has become successful bidder in the auction alleged to have been conducted on 13.02.2017, this Court is of the view that the relief sought in the writ petitions cannot be granted and altogether these writ petitions deserve to be dismissed.

5.In fine, these writ petitions deserve dismissal and accordingly are dismissed without costs. The second respondent is directed to take appropriate steps for conducting fresh action as per rules. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Sivagangai District, Sivagangai.
 2. The Tahsildar, Karaikudi Taluk, Sivagangai District.
 3. The Block Development Officer,
Kallal Panchayat Union, Kallal, Sivagangai District.
- +2 cc to Mr.V.Kannan, Advocate, SR.Nos.50597 & 50596
+1 cc to Special Government Pleader, SR.No. 51204

W.P(MD)Nos.2798 and 2799 of 2017 and

W.M.P(MD)Nos.2302 and 2303 of 2017

06.04.2017