



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) Nos. 9631 & 10213 of 2016

and

W.M.P. (MD) Nos. 7659, 7976, 8561 & 8562 of 2016

W.P. (MD) No. 9631 of 2016

N.Radhakrishnan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary,
Municipal and Water Supply Department,
Secretariat, Chennai.

2.The District Collector,
Kanyakumari District,
at Nagercoil.

3.The Nagercoil Municipality,
Rep. By its Commissioner,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to let out 272 newly constructed shops to the petitioner for lease after receiving Rs.1,00,000/- as advance and fixing Rs.4,500/- as monthly rent for each shops instead of handing over the shops for Rs.125/- per day by considering the representation of the petitioner dated 17.05.2016.

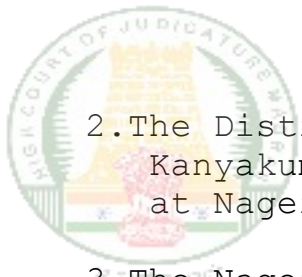
W.P. (MD) No. 10213 of 2016

David

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary,
Municipal and Water Supply Department,
Secretariat, Chennai.



2.The District Collector,
Kanyakumari District,
at Nagercoil.

3.The Nagercoil Municipality,
Rep. By its Commissioner,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to let out 272 newly constructed shops only in public auction independently by fixing Rs.1,00,000/- deposit for each shop and also fixing sufficient amount as monthly rent for the shops so as to enable various business individuals to participate and benefited out of the same by considering the representation dated 23.04.2016.

For Petitioners : Mr.S.C.Herold Singh (in W.P(MD)No.9631/16)
Mr.T.Jeen Joseph (in W.P(MD)No.10213/16)
For Respondents : Mr.M.Alaguthevan,
(in both petitions) Special Government Pleader, for R.1 & R.2

Mr.P.Aathimoola Pandian, for R.3

ORDER

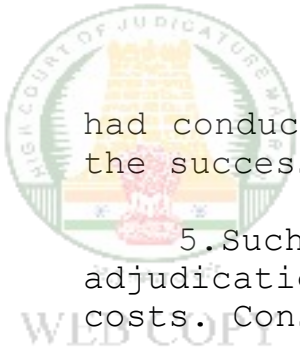
The writ petition in W.P.(MD)No.9631 of 2016, has been filed to direct the respondents to let out the 272 newly constructed shops to the petitioner for lease, after receiving Rs.1,00,000/- (Rupees one lakh only) as advance and fixing Rs.4,500/- (Rupees four thousand and five hundred only) as monthly rent for each shops instead of handing over the shops for Rs.125/- (Rupees one hundred and twenty five only) per day by considering his representation dated 17.05.2016.

2.The writ petition in W.P.(MD)No.10213 of 2016, has been filed to direct the respondents to let out the 272 newly constructed shops only in public auction independently by fixing Rs.1,00,000/- (Rupees one lakh only) as deposit for each shop and also fixing sufficient amount as monthly rent for the shops, so as to enable various business individuals to participate and benefit out of the same by considering his representation dated 23.04.2016.

3.Heard the learned counsel appearing for the petitioners, the learned Special Government Pleader appearing for the respondents and the learned counsel appearing for the third respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Today, when the matter is taken up for hearing, the learned counsel fairly submitted that the third respondent Municipality



had conducted auction and most of the shops have been allotted to the successful bidders.

5. Such being the case, nothing survives for further adjudication and hence, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar.

To

1. The Secretary,
Municipal and Water Supply Department,
Secretariat, Chennai.

2. The District Collector,
Kanyakumari District,
at Nagercoil.

3. The Commissioner,
The Nagercoil Municipality,
Nagercoil,
Kanyakumari District.

+2CC to Mr. S. C. Herold Singh, Advocate, SR.No. 67393, 67394

+1CC to the Special Government Pleader SR.No. 68312, 68313

W.P. (MD) Nos. 9631 & 10213 of 2016

and

W.M.P. (MD) Nos. 7659, 7976, 8561 & 8562 of 2016

gk

AM/SV/SAR 1/03.08.2017/3P/7C