



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.03.2017
CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

WEB COPY

W.P(MD)No.3331 of 2013
and
M.P(MD)Nos.1 and 2 of 2013

B.Subramaniyan

... Petitioner

Vs

1.The Commissioner of Municipal Administration,
Chepuk, Chennai - 600 005

2.The Commissioner,
Kumbakonam Municipality,
Kumbakonam -612 001,
Thanjavur District.

3.The chairman,
Kumbakonam Municipal Council,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur Dist.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to call for Tender of lease in respect of daily flower and fruit stalls situated in North western part of Aringar Anna Bus-stand of Kumbakonam Municipality as per subject No. 31 placed in the Kumbakonam Municipal Council Meeting on 27.01.2012, which was affirmed by the 2nd Respondent in Na.Ka.No.12816/2011/A7 within the time stipulated by this Court.

For Petitioner : M/R.M.Saravanakumar

For Respondent 1 : Mr.S.Kumar

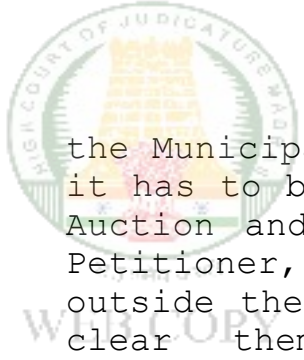
Additional Government Pleader

For Respondent 2 : Mr.P.Srinivas

For Respondent 3 : No Appearance

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to call for Tender of lease in respect of daily flower and fruit stalls situated in North western part of Aringar Anna Bus-stand of Kumbakonam Municipality as per subject No. 31 placed in the Kumbakonam Municipal Council Meeting on 27.01.2012, which was affirmed by the 2nd Respondent in Na.Ka.No.12816/2011/A7 within the time stipulated by this Court.



the Municipalities is governed by the related Government orders and it has to be done by way of calling for a general tender or public Auction and I do not think any preference could be given to the Petitioner, who was only in temporary occupation in the said area, outside the bus stand. The Municipality having taken a decision to clear them by providing permanent shops for such vendors, the Petitioner has no vested right to continue in the said place. The fact that Petitioner has been doing business in the said area will not give him any preferential right over the same. I do not find any merit in the Writ Petition and thus the Writ Petition fails.

7. Accordingly, the Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Commissioner of Municipal Administration,
Chepuk, Chennai - 600 005

2. The Commissioner,
Kumbakonam Municipality,
Kumbakonam - 612 001,
Thanjavur District.

3. The chairman,
Kumbakonam Municipal Council,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur Dist.

+1 cc to M/R.R.SRINIVAS, Advocate, SR.NO:14153
+1 cc to M/R.M.SARAVANAKUMAR, Advocate, SR.NO:13797

VSN
SVA/PM/PN/21.03.2017/3P/6C

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and
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