

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.6398 of 2018
and W.M.P.Nos.7928 & 7929 of 2018

C.Maria Prakasam

...Petitioner

Versus

1.The District Collector,
Villupuram District,
Villupuram.

2.The Assistant Director,
Town Panchayats,
Cuddalore Division,
Cuddalore.

3.The Executive Officer,
Gingee Special Grade Town Panchayat,
Gingee, Villupuram District.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 09.03.2018 made in Na.Ka.No.A2/78/2018 issued by the 3rd respondent to the petitioner and others and quash the same and consequently appoint some judicial officer or any other officials or Commissioner to conduct the auction, if any fresh auction notice has been issued by the 3rd Respondent in future relating to the auction of leasehold right for the shops located in New Shopping Complex at Gingee Town Bus-stand.

For Petitioner : Mr.G.Ethirajulu

For Respondent : Mr.V.Shanmugasundar
Special Government Pleader (for RR1 & 2)
Ms.Ramya Revathi (for R3)

ORDER

The petitioner has come forward with this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order dated 09.03.2018 made in Na.Ka.No.A2/78/2018 issued by the 3rd respondent to the petitioner and others and quash the same and consequently appoint some judicial officer or any other officials or Commissioner to conduct the auction, if any fresh auction notice has been issued by the 3rd Respondent in future relating to the auction of leasehold right for the shops located in New Shopping Complex at Gingee Town Bus-stand.

2. Heard Mr.G.Ethirajulu, learned counsel appearing for the petitioner, Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents 1 & 2 and Ms.Ramya Revathi, learned Government Advocate, who accepts to take notice on behalf of the 3rd respondent.

3. By consent of both sides, this writ petition is taken up for final disposal.

4. The learned counsel for the petitioner submitted that, on an earlier occasion, this Court in W.P.No.28105 of 2014, has directed the respondent-Town Panchayat to receive the security deposit only by way of cheque or Demand Draft and the advertisement permitting the bidders to furnish the security deposit by cash was set aside. However, in the present notification dated 09.03.2018, the respondent has permitted the bidders to deposit the security deposit by way of cash or cheque or Demand Draft. It is also submitted that as per law, 15 days time should be given before conducting auction, which is also not followed in this case.

5. The 3rd respondent, who is present before this Court today stated that he will not proceed with the notification impugned in this writ petition and he will issue a fresh notification and conduct auction in accordance with law.

6. Recording the submission made by the third respondent, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

22.03.2018

Internet :Yes/No

Index :Yes/No

Speaking Order / Non-speaking Order

rm

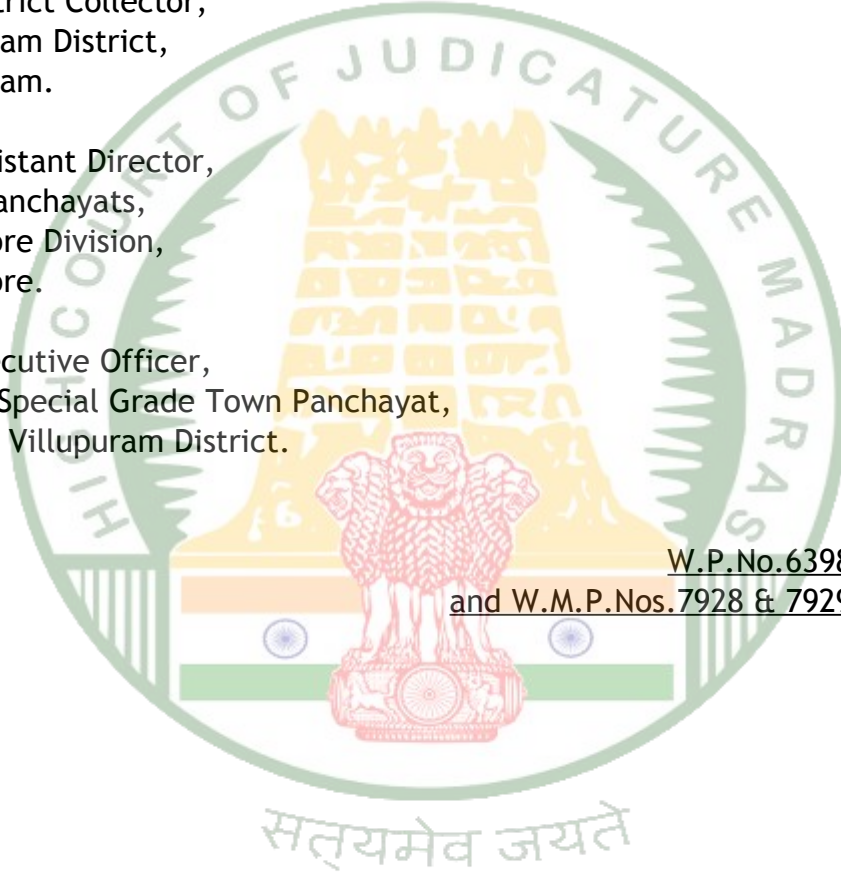
Note: Issue Order Copy today (23.03.2018)

K.KALYANASUNDARAM,J.

rm

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Assistant Director,
Town Panchayats,
Cuddalore Division,
Cuddalore.
- 3.The Executive Officer,
Gingee Special Grade Town Panchayat,
Gingee, Villupuram District.



W.P.No.6398 of 2018
and W.M.P.Nos.7928 & 7929 of 2018

WEB COPY

22.03.2018