

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.10.2018
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.22902 of 2018 and
W.M.P.No.26794 of 2018

T.Namachivayam ... Petitioner

Vs

1.The Collector,
Cuddalore District.

2.The District Revenue Officer,
Cuddalore District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to accept the balance sale consideration of Rs.45,76,928/- pursuant to the auction confirmation in R.C.No.C3/26390/2012 dated 10.08.2018 and to execute the sale deed in respect of Nanjai Survey Nos.233/6B2, to an extent of 0.02.0 hectares, 233/6B3 to an extent of 0.02.0 hectares, 233/6B4 to an extent of 0.02.0 and 233/6C to an extent of 0.11.5 hectares with total extent of 0.17.5 hectares equivalent to 18837 Sq.ft at Gangaikondan Village, Vridhachalam Taluk, within a time frame.

For Petitioner : Mr.G.Surya Narayanan

For Respondents : Mr.J.Ramesh,
Additional Government Pleader

O R D E R

The petitioner has come up with this writ petition seeking a direction to the respondents to accept the balance sale consideration of Rs.45,76,928/- pursuant to the auction confirmation in R.C.No.C3/26390/2012 dated 10.08.2018 and to execute the sale deed to an extent of 0.17.5 hectares equivalent to 18837 Sq.ft at Gangaikondan Village, Vridhachalam Taluk, within a time frame.

2. When the matter is taken up for consideration, it is submitted by the learned counsel for the petitioner that though the petitioner is inclined to pay the sale consideration being the successful bidder to the tune of Rs.45,76,928/-, as per the auction held on 10.08.2018, despite his several attempts, the respondents proceeded to confirm the sale in favour of yet

another person. It is the specific claim of the petitioner that the petitioner's remittance was not accepted by the respondents for no reasons. His representation dated 02.09.2018, is also kept pending.

3. On the other hand, the learned Additional Government Pleader appearing for the respondents by his counter, submitted that the petitioner defaulted in complying with the conditional payment as per auction and hence, the Department is now decided to go for a fresh auction and he also submitted that conducting fresh auction may fetch more revenue.

4. In such view of the matter, the respondents are directed to consider the representation submitted by the petitioner dated 02.09.2018 and if the same is not feasible, it is open to the respondents to go for a fresh auction, in which, the petitioner also can participate.

5. With the above observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gsk

To

1.The Collector,
Cuddalore District.

2.The District Revenue Officer,
Cuddalore District.

+lcc to Mr.Surya Narayanan, Advocate, S.R.No.72606

+lcc to the Government Pleader, S.R.No.73013

W.P.No.22902 of 2018

MG(CO)

rrs 20/11/2018