

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Writ Petition No.19676 of 2018 &
W.M.P.Nos.23109 & 23110 of 2018

R.Shanmugasundaram

... Petitioner

Versus

1. The Assistant Director of Panchayats,
Dharmapuri Region,
District Collector Office,
Dharmapuri, Dharmapuri District.
2. The Executive Officer,
Selection Grade Panchayat,
Uthangarai,
Krishnagiri District.
3. Tmt.T.Jeejabai,
Special Officer,
The Assistant Director of Panchayats,
Dharmapuri Region,
District Collector Office,
Dharmapuri,
Dharmapuri
District.

... Respondents

Prayer: This Writ petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records in proceedings in Na.Ka.No.133/2018/A2 dated 16.07.2018 of 2nd respondent in connection with 5th auction fixed on 31.07.2018 for shop No-3 and A new shop located on the opposite to Land Development Bank, Uthangarai and quash the same and consequently direct the respondents to confirm the auction in favour of Petitioner as per 4th auction.

For Petitioner : Mr.K.Thiruvengadam

For Respondents: Mr.V.Shanmuga Sundar

Special Government Pleader for R1

Mr.R.S.Selvam,

Government Advocate for R2 and R3

O R D E R

Heard Mr.K.Thiruvengadam, learned counsel for the petitioner; Mr.V.Shanmuga Sundar, learned Special Government Pleader for the first respondent; Mr.R.S.Selvam, learned Government Advocate for the respondents 2 and 3 and perused the materials available on record.

2. This Writ Petition has been filed challenging the auction notification issued by the second respondent dated 16.07.2018.

3. The case of the petitioner is that in the previous auctions conducted by the respondents dated 20.03.2018, 26.03.2018, 02.04.2018 and 08.04.2018, for shop No.3 and in the newly constructed shop in Uthangarai, he was declared as a successful bidder, but instead accepting the Petitioner's offer, the impugned notification has been issued.

4. According to the respondents in the previous lease period, shop No.3 was leased out for Rs.5,700/- per month and another shop constructed opposite to the Land Development Bank at Uthangarai was leased out for Rs.3,750/- per month. But, the offer of the petitioner in all the auctions was very low and hence, the bid was not confirmed in favour of the Petitioner. Hence, the present Writ Petition is not maintainable.

5. It is not the case of the petitioner that the previous auctions conducted for the shops, referred above, the offer of the petitioner was accepted and confirmed and hence, he does not have any right to challenge the impugned notification.

6. In view of the above, I do not find any merit in the Writ Petition. Accordingly, the Writ Petition fails and the same is dismissed. There is no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

r n s

To

1. The Assistant Director of Panchayats,
Dharmapuri Region,
District Collector Office,
Dharmapuri, Dharmapuri District.

2. The Executive Officer,
Selection Grade Panchayat,
Uthangarai,
Krishnagiri District.

+lcc to Mr.R.S.Selvam, Advocate SR.NO.53290
+lcc to Government Pleader SR.NO.54023

NM(CO)

sm:30.8.2018