

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.07.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.Nos.2888 to 2898 of 2012
and
M.P.Nos.1 of 2012 (11 MPs.)
and
M.P.No.2 of 2012 (11 MPs)

V. SUNDARAM	... PETITIONER in WP No.2888 of 2012
R.GOVINDAN	... PETITIONER in WP No.2889 of 2012
P.SUSEELA	... PETITIONER in WP No.2890 of 2012
NALINI	... PETITIONER in WP No.2891 of 2012
M. SIVASANKARAN	... PETITIONER in WP No.2892 of 2012
R.KRISHNASAMY	... PETITIONER in WP No.2893 of 2012
M.SIVASANKARAN	... PETITIONER in WP No.2894 of 2012
R.KRISHNASAMY	... PETITIONER in WP No.2895 of 2012
NALINI	... PETITIONER in WP No.2896 of 2012
S.KALESHA	... PETITIONER in WP No.2897 of 2012
A.M.KAJA SHERIFF	... PETITIONER in WP No.2898 of 2012

Versus

- 1.THE COMMISSIONER,
VANDAVASI MUNICIPALITY,
VANDAVASI, TIRUVANNAMALAI DISTRICT.
- 2.THE EXECUTIVE COUNCIL,
VANDAVASI MUNICIPALITY,
VANDAVASI, TIRUVANNAMALAI DISTRICT.

...RESPONDENTS IN ALL WPS

Prayer in W.P.No.2888 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records of the first respondent in his proceeding Na.Ka.No.924/2004/F1, dated 20.1.2012 and quash the same and further direct the 1st respondent to complete the formalities ending with handing over the possession of Shop No.30 pursuant to the tender notice of the first respondent in Na.Ka.No.924/2004/F1, dated 16.8.2011 and the resolution No.730 of the second respondent.

Prayer in WP No.2889 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the 1st Respondent in his proceeding Na. Ka. No. 924/2004/F1 dated 20.01.2012 and quash the same and further direct the Respondent to complete the formalities ending with handing over possession Shop No. 29 pursuant to the Tender Notice of the 1st Respondent in Na. Ka. No. 924/2004/F1 dated 16.08.2011 and the Resolution No.730 of the 2nd Respondent.

Prayer in WP No.2890 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the 1st Respondent in his proceeding Na. Ka. No. 924/2004/F1 dated 20.01.2012 and quash the same and further direct the Respondent to complete the formalities ending with handing over possession Shop No. 6 pursuant to the Tender Notice of the 1st Respondent in Na. Ka. No. 924/2004/F1 dated 16.08.2011 and the Resolution No.730 of the 2nd Respondent.

Prayer in WP No.2891 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the 1st Respondent in his proceeding Na. Ka. No. 924/2004/F1 dated 20.01.2012 and quash the same and further direct the 1st Respondent to complete the formalities ending with handing over possession Shop No. 32 pursuant to the Tender Notice of the 1st Respondent in Na. Ka. No. 924/2004/F1 dated 16.08.2011 and the Resolution No.730 of the 2nd Respondent.

Prayer in WP No.2892 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the 1st Respondent in his proceeding Na. Ka. No. 924/2004/F1 dated 20.01.2012 and quash the same and further direct the 1st Respondent to complete the formalities ending with handing over possession Shop No. 28 pursuant to the Tender Notice of the 1st Respondent in Na. Ka. No. 924/2004/F1 dated 16.08.2011 and the Resolution No.730 of the 2nd Respondent.

Prayer in WP No.2893 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the 1st Respondent in his proceeding Na. Ka. No. 924/2004/F1 dated 20.01.2012 and quash the same and further direct the 1st

Respondent to complete the formalities ending with handing over possession Shop No. 22 pursuant to the Tender Notice of the 1st Respondent in Na. Ka. No. 924/2004/F1 dated 16.08.2011 and the Resolution No.730 of the 2nd Respondent.

Prayer in WP No.2894 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the First Respondent in his proceeding Na.Ka. No.924/ 2004/F1 dated 20.01.2012 and quash the same and further direct the First Respondent to complete the formalities ending with handing over possession Shop No.1 pursuant to the Tender Notice of the First Respondent in Na.Ka. No.924/ 2004/F1 dated 16.08.2011 and the Resolution No.730 of the Second Respondent.

Prayer in WP No.2895 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the First Respondent in his proceeding Na.Ka. No.924/ 2004/F1 dated 20.01.2012 and quash the same and further direct the First Respondent to complete the formalities ending with handing over possession Shop No.23 pursuant to the Tender Notice of the First Respondent in Na.Ka. No.924/ 2004/F1 dated 16.08.2011 and the Resolution No.730 of the Second Respondent.

Prayer in WP No.2896 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the First Respondent in his proceeding Na.Ka. No.924/ 2004/F1 dated 20.01.2012 and quash the same and further direct the First Respondent to complete the formalities ending with handing over possession Shop No.25 pursuant to the Tender Notice of the First Respondent in Na.Ka. No.924/ 2004/F1 dated 16.08.2011 and the Resolution No.730 of the Second Respondent.

Prayer in WP No.2897 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the First Respondent in his proceeding Na.Ka. No.924/ 2004/F1 dated 20.01.2012 and quash the same and further direct the First Respondent to complete the formalities ending with handing over possession Shop No.7 pursuant to the Tender Notice of the First Respondent in Na.Ka. No.924/ 2004/F1 dated 16.08.2011 and the Resolution No.730 of the Second Respondent.

Prayer in WP No.2898 of 2012:Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorarified Mandamus, to call for the records of the First Respondent in his proceeding Na.Ka. No.924/ 2004/F1 dated 20.01.2012 and quash the same and further direct the First

Respondent to complete the formalities ending with handing over possession Shop No.3 pursuant to the Tender Notice of the First Respondent in Na.Ka. No.924/ 2004/F1 dated 16.08.2011 and the Resolution No.730 of the Second Respondent.

For Petitioners : M/s.Radha Gopalan
(in all W.Ps)
For Respondents : Mr.O.Selvam
(in all W.Ps)

C O M M O N O R D E R

Heard Mr.Radha Gopalan, learned counsel for the petitioner, Mr.O.Selvam, learned counsel for the respondent and perused the materials available on record.

2.These writ petitions have been filed challenging the auction notification issued by the first respondents dated 20.01.2012.

3.It seems that the first respondent had issued a notification dated 16.8.2011, in which the petitioners were declared as highest bidder. Since the auction was not confirmed, the respondents issued impugned notice dated 20.01.2012, to bring the shops for re-auction.

4. It is an admitted fact that in the auction conducted on 16.8.2011, no resolution has been passed by the respondents confirming the auction in favour of the petitioners. Hence, the petitioners have no right to challenge the impugned notice issued by the respondents.

5. Hence, I do not find any merits in this case. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

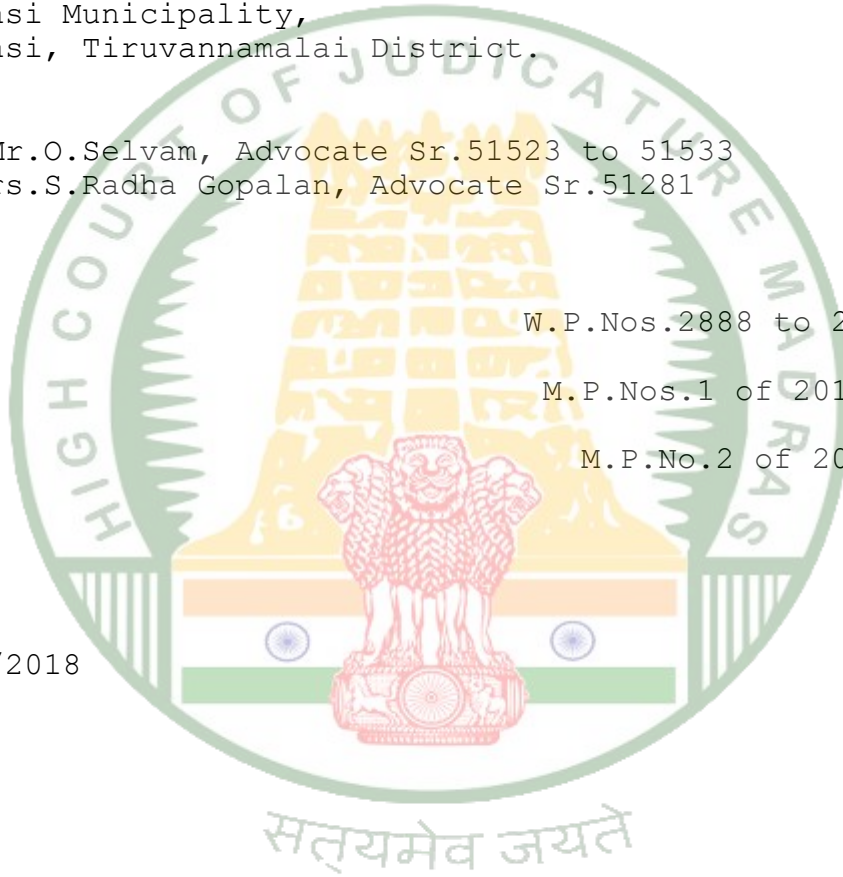
1.The Commissioner,
Vandavasi Municipality,
Vandavasi, Tiruvannamalai District.

2.The Executive Council,
Vandavasi Municipality,
Vandavasi, Tiruvannamalai District.

+22cc to Mr.O.Selvam, Advocate Sr.51523 to 51533
+1cc to Mrs.S.Radha Gopalan, Advocate Sr.51281

W.P.Nos.2888 to 2898 of 2012
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M.P.Nos.1 of 2012 (11 MPs.)
and
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ssv[co]
srg 28/08/2018



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