



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.3062 of 2018

and

W.M.P. (MD) .Nos.3250 & 3251 of 2018

Periyasamy

...Petitioner

Vs.

1. The Director,
Directorate of Town Panchayat,
Kurlazham,
Chennai-600 008.
2. The District Collector,
Dindigul District.
3. The Special Officer/
Additional Director of Town Panchayat,
Nilakottai Town Panchayat,
Dindigul Region,
Dindigul.
4. The Executive Officer,
Nilakottai Town Panchayat,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned tender notification issued vide proceedings in Na.Ka.No.1/2018/A2 dated 25.01.2018 which was published in Dina Kural daily newspaper at Cuddalore on 31.01.2018 issued by the third and fourth respondents and quash the same and consequently direct the respondents to ensure active participation of the tenderers/public.

For Petitioner : Mr.R.Suresh Kumar

for M/s. Veera Associates

For Respondents : Mr.J.Gunaseelan Muthiah for R1 to
R3

Additional Government Pleader

: Mr.D.Muruganantham for R4

ORDER

Heard the learned counsel on either side.

2. By consent of both the parties, the main Writ Petition is taken up for final disposal.

3. The fourth respondent issued the impugned notification dated 25.01.2018 with regard to confirmation of license for collecting entry fee from the users of the weekly market and daily market. The only ground on which the said notification assailed is that it has been published in a newspaper which does not have any circulation in the locality. It is seen that the notification of the fourth respondent came to be published in Dina Kural edition. This Court has pronounced a number of cases that in such matters wide publicity must be given particularly in the locality in question. Since this mandate has been contravened in this case, this Court has to necessarily quash the impugned notification.

4. The fourth respondent is at liberty to issue a fresh notification by causing wide publicity in the Nilakottai area.

5. The Writ Petition is allowed accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

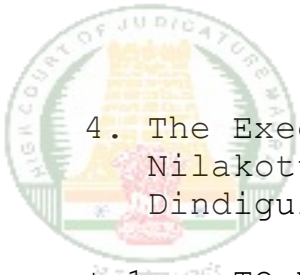
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Director,
Directorate of Town Panchayat,
Kurlazham,
Chennai-600 008.
2. The District Collector,
Dindigul District.
3. The Special Officer/
Additional Director of Town Panchayat,
Nilakottai Town Panchayat,
Dindigul Region,
Dindigul.



4. The Executive Officer,
Nilakottai Town Panchayat,
Dindigul District.

+ 1 cc TO Mr.R.Suresh Kumar, Advocate in SR No. 50886

• 1 cc TO The Special Government Pleader in SR No. 51623

tsg

AE/KKR/SAR4/07.05.2018/3P/7C

W.P. (MD) .No.3062 of 2018
23.02.2018