



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.05.2018

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.10584 of 2018 and
W.M.P.(MD)Nos.9651 to 9653 of 2018

N.Murugan

... Petitioner

Vs.

The Joint Commissioner/Administrative Officer,
Hindu Religious and Charitable Endowment Board,
Arulmigu Meenakshi Sundereswarar Temple,
Madurai City.

... Respondent

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned public auction cum tender notification bearing Serial No.13 calling for auction pertaining to collecting tax from Temporary Street Vendor, Theppakulam, Madurai District in Na.Ka.No.231/2018/E2, dated 06.04.2018 issued by the respondent and quash the same and consequently direct the respondent to consider the representation to extend the lease period to the petitioner.

For Petitioner : Mr.J.Vijayaraja

For Respondent : Mr.V.R.Shanmuganathan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned public auction cum tender notification bearing Serial No.13 calling for auction pertaining to collecting tax from Temporary Street Vendor, Theppakulam, Madurai District in Na.Ka.No.231/2018/E2, dated 06.04.2018 issued by the respondent and consequently direct the respondent to consider the representation to extend the lease period to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. Mr.V.R.Shanmuganathan, learned Special Government Pleader, takes notice for the respondent. By consent, the Writ petition itself is taken up for final disposal.



4. This petition is filed to quash the Tender Notification stating that the petitioner has already given a representation for renewal of his right to collect fees, being the successful bidder for the previous year.

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5. The learned Special Government Pleader has produced before this Court a communication, dated 28.04.2018, rejecting the petitioner's representation.

6. Hence, with liberty to the petitioner to challenge the order rejecting the request of the petitioner, this Writ petition is dismissed.

7. The learned counsel for the petitioner states that the petitioner is also participating in the Tender that has now been floated in respect of item No.13 for which the petitioner is the present licensee. The learned counsel for the petitioner further represented that one of the conditions of tender as per the tender notification is that the person who has filed any case against the respondent shall not be permitted to participate in the tender process.

8. The learned counsel for the respondent states that such condition will not be insisted in the case of the petitioner, in case he participates in the tender. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Vacation Officer,

/True Copy/

Sub Assistant Registrar

To

The Joint Commissioner/Administrative Officer,
Hindu Religious and Charitable Endowment Board,
Arulmigu Meenakshi Sundereswarar Temple,
Madurai City.

+1CC to Mr.J.Vijayaraja, Advocate, SR.No. 65075

ORDER MADE IN
W.P.(MD).No.10584 of 2018 and
W.M.P.(MD)Nos.9651 to 9653 of 2018
03.05.2018

pmu

AM/JC/SAR 2/04.05.2018/2P/3C