



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2018

CORAM

WEB COPY

THE HONOURABLE **MR. JUSTICE M. GOVINDARAJ**

W.P. (MD) No.14146 of 2018

S.S.Esakkimuthu

... Petitioner

/Vs./

1. The Deputy director of Geology & Mines,
Collectorate Campus,
Tirunelveli-627 009.

2. The District Collector,
Collectorate,
Tirunelveli-627 009.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 17.05.2018 and pass appropriate orders to refund Rs.4,85,000/- (Rupees four lakhs eighty five thousand only) which is 10% of highest bid amount in the subject of lease of stone quarry Sl.No.17, Vadakku Kavalakurichi, S.F.No 405(p) an extent of 1.10.0 Hectares, in the tender cum auction notified by the 2nd respondent in his proceedings in Rc.No. M1/9212/2018 dated 07.03.2018.

For Petitioner : Mr.D.Nallathambi

For Respondents : Mr.S.Nagarajan

Special Government Pleader

ORDER

The petitioner was one of the participants of the tender cum auction conducted for leasing the stone quarry in Sl.No.17, Vadakku Kavalakurichi, S.F.No.405(p), an extent of 1.10.0 Hectares, in the tender cum auction notified by the 2nd respondent in his proceedings in Rc.No. M1/9212/2018 dated 07.03.2018. As per the tender conditions, 10% of the highest bid amount has to be deposited. Accordingly, the petitioner deposited a sum of Rs.4,85,000/- [Rupees Four Lakhs and Eighty Five Thousand only] with the first respondent. Later, it appears that the tender proceedings were dropped and work was not allotted and the petitioner was not permitted to carry on the quarry operations.

<https://hcservices.ecourts.gov.in/hcservices/>

Therefore, the petitioner sought for refund of the amount deposited with the first respondent and he made a representation



to the respondents on 17.05.2018 for the above said purpose. Accordingly, the petitioner's representation is lying without any consideration.

2. Considering the facts and circumstances of the case, a direction is issued to the first respondent to consider the representation of the petitioner dated 17.05.2018 and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

3. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1. The Deputy director of Geology & Mines,
Collectorate Campus,
Tirunelveli-627 009.
2. The District Collector,
Collectorate,
Tirunelveli-627 009.

+1cc to Mr.D.Nallathambi, Advocate Sr.No.70876

SM

VB/PN/SAR4/12.07.2018/2P/4C

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