



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.09.2018

CORAM:

THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE Mr. JUSTICE N.SATHISH KUMAR

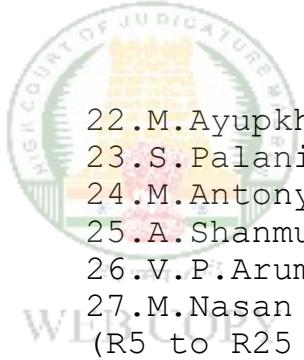
W.P. (MD) No.10333 of 2017
and
W.M.P. (MD) Nos.7956 and 7957 of 2017

Murugan

... Petitioner

Vs.

- 1.The Commissioner of Municipal Administration,
6th Floor, Ezhilagam,
Chepauk,
Chennai - 600 005.
- 2.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
- 3.The Regional Director of Municipal Administration,
No.1 AYA, Nadar Street,
Near Kodimarathu Moolai,
Thanjavur 613 008.
- 4.The Special Officer / The Municipal Commissioner,
Manapparai Municipality,
Manapparai,
Tiruchirappalli District.
- 5.T.Balraj
- 6.R.A.Murugesan
- 7.L.Prabhakaran
- 8.P.Kumar
- 9.R.C.Rajendran
- 10.S.Sakthivel
- 11.S.Irunnisa
- 12.Sankar
- 13.P.Kannan
- 14.Surendran
- 15.Karthikeyan Manikandan
- 16.N.K.Krishnamoorthy
- 17.P.Ponrajagopal
- 18.Baskaran
- 19.T.SureshKumar
- 20.M.C.P.Anandhan
- 21.M.Mala



22.M.Ayupkhan
23.S.Palanichamy
24.M.Antony David Raja
25.A.Shanmugam
26.V.P.Arumugaperumal
27.M.Nasan Mohammed

(R5 to R25 suo motu impleaded vide court order dated 08.08.2017)
(R26 & R27 suo motu impleaded vide court order dated 28.08.2017)

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent passed in Na.Ka.No.744/2016/A2, dated 28.04.2017 published in the Tamil Daily 'Dhina Thanthi' dated 29.04.2017 with respect to the public auction cum tender notification issued by the 4th respondent for 8 items and quash the notification dated 28.04.2017 and direct the 4th respondent to issue fresh notification with specific terms and conditions and conduct re-auction with respect to all 8 items published in the notification dated 28.04.2017.

For Petitioner : Mr.T.M.Madasamy

For Respondent :Mr.N.Shanmugaselvan, AGP for R1 to 3
Mr.J.Lawrance for R4
Mr.R.J.Karthick for R5 to R9, R14, R18 to R21
R24 and R25
Ms.I.Dinesh Deepa for R10 & R12

No appearance : RR 13,16,17,23,26 and 27

Mr.D.Kirubakaran for R15

Tapal returned for R22

ORDER

(Order of the Court was made by M.M.SUNDRESH,J.)

The petitioner, who is the erstwhile member of the local body, has come forward with the present Writ petition, challenging the tender proceedings.

2.We are of the view that the Writ petition itself is not maintainable. Since confirmation of tender has already been taken place, nothing survives for adjudication. In pursuant to the confirmation, all the licencees have occupied the shops.

<https://hcservices.ecourts.gov.in/hcservices>
Suo motu impleaded counsel for the respondents submitted that the allotment order itself is valid only for 3 years. Further, the subject matter of the tender notification is only for 3 years and



thereafter, a fresh tender will be called for. The said statement is recorded. Accordingly, this Writ petition is dismissed. No costs. Consequently, connected W.M.Ps. are closed.

WEB COPY
/True Copy/

Sd/-
Assistant Registrar (CS-II)

Sub Assistant Registrar (CS-IV)

To

1. The Commissioner of Municipal Administration,
6th Floor, Ezhilagam,
Chepauk,
Chennai - 600 005.
 2. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
 3. The Regional Director of Municipal Administration,
No.1 AYA, Nadar Street,
Near Kodimarathu Moolai,
Thanjavur 613 008.
 4. The Special Officer / The Municipal Commissioner,
Manapparai Municipality,
Manapparai,
Tiruchirappalli District.
- + 1 CC TO M/S.L.DINESHDEEPA , ADVOCATE IN SR No.82909.
 - + 1 CC TO Mr.B.SARAVANAN , ADVOCATE IN SR No. 82891.
 - + 1 CC TO Mr.R.J.KARTHICK , ADVOCATE IN SR No.82707.
 - + 1 CC TO Mr.J.LAWRANCE , ADVOCATE IN SR No.82472.
 - + 1 CC TO Mr.T.M.MADASAMY , ADVOCATE IN SR No.82910.

NBJ

- DS RSK SAR-4 12.10.2018 3P/10C

W.P. (MD) No.10333 of 2017
05.09.2018