



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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W.P.(MD) No.22774 of 2017andW.M.P.(MD)Nos. 19084 to 19086 of 2017

V.RameshKumar

... Petitioner

vs.

1.The Joint commissioner,
Hindu Religious and Charitable Endowment Board,
Mayiladuthurai,
Nagapattinam District.

2.The Executive Officer,
Arulmigu Kasiviswanathaswamy Thirukoil,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned order in Se.Mu.Na.Ka.6994/2017 Ee 1 dated 01.11.2017 passed by the first respondent and the subsequent Tender Notification dated 27.11.2017 published in Tamil Newspaper by the second respondent and quash the same and directing the respondents to extend the lease period of the petitioner regarding the shop measuring to an extent of 250 sq. feet situated in T.S.No.429, Door No.4/429 at Mahamagakulam West Bank, Kumbakonam Town, Thanjavur District for the period of 1 year 8 days.

For Petitioner : Mr.S.Rajaprabu
For R-1 : Mr.J.Gunaseelanmuthiah
Additional Government Pleader
For R-2 : Mr.V.Chandrasekar

O R D E R

Pending the writ petition, the petitioner was granted liberty to participate in the auction scheduled to be held on 14.12.2017 and the confirmation of the auction alone came to be stayed by this court on 12.12.2017.

2.Pursuant to the interim order of this Court, it is now submitted by the learned Standing Counsel for the respondents that the petitioner had not participated in the auction and subsequently, a third party has been declared as successful bidder and he has also deposited a sum of Rs.5.5 lakhs.



3. The present writ petition is not related to the lease period for which the writ petitioner has sought extension of time, since he alleges that he is not able to run the Tea shop for the considerable time.

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4. In my view, there is no infirmity in the present impugned order and since the auction has already been held, and a third party interest has been created, there is no need to consider the petitioner's request at this stage. Hence the present writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Joint commissioner,
Hindu Religious and Charitable Endowment Board,
Mayiladuthurai,
Nagapattinam District.

2. The Executive Officer,
Arulmigu Kasiviswanathaswamy Thirukoil,
Kumbakonam,
Thanjavur District.

+1cc to M/S.V.Chandrasekar, Advocate SR.No. 74789
+1cc to Special Government Pleader, SR.No. 74680

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and
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das
JM/KAK/SAR 3/10.08.2018/2P/5C