

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.6012 of 2013

ORDER:

This writ petition is filed to declare the action of the respondents in issuing the impugned endorsement dated 19.2.2013, cancelling the auction of the Shop No.87 which has to be struck in petitioner's favour, as illegal and arbitrary.

The case of the petitioner is that he participated in the auction for three shops i.e. Shop Nos.47, 52 and 87 but he did not emerge as the highest bidder for Shop Nos.47 and 52; the petitioner stood as the highest bidder for Shop No.87 but he came to know that the auction for Shop No.87 was cancelled; the petitioner has addressed a letter on 21.2.2013 to the respondents asking them as to why auction for Shop No.87 was cancelled; the respondents issued the present impugned endorsement dated 19.2.2013 to the petitioner stating that since one person has participated in the auction, the allotment of shop has been cancelled, and that the said endorsement was issued without any notice. Aggrieved by the same, the present writ petition is filed.

Counter affidavit has been filed by the 2nd respondent stating that since single tender has been received by them in respect of allotment of shop No.87, it was decided to conduct a fresh auction.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the 2nd respondent.

In view of the facts and circumstance of the case, the petitioner is at liberty to file a detailed representation to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order and the 2nd respondent is directed to consider the same and pass orders within a period of eight weeks from the date of receipt of the representation.

With the above directions, the Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.



KONGARA VIJAYA LAKSHMI, J

Date: 12/12/2018
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